



AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **20 January 2015 at 7.30 pm.**

John Lynch
Head of Democratic Services

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Despatched : 12 January 2015

Welcome:

Members of the public are welcome to attend this meeting.

Consideration of Planning Applications – This is a formal agenda where decisions are taken on planning applications submitted to the Council. Public speaking rights on these items are limited to those wishing to comment on specific applications. **If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.**

Committee Membership

Councillor Khan (Chair)
Councillor Klute (Vice-Chair)
Councillor R Perry (Vice-Chair)
Councillor Chowdhury
Councillor Fletcher
Councillor Gantly
Councillor Kay
Councillor Nicholls
Councillor Picknell
Councillor Poyser

Wards


- Bunhill;
- St Peter's;
- Caledonian;
- Barnsbury;
- St George's;
- Highbury East;
- Mildmay;
- Junction;
- St Mary's;
- Hillrise;

Substitute Members

Councillor Convery
Councillor Comer-Schwartz
Councillor O'Sullivan
Councillor A Perry
Councillor Poole
Councillor Smith
Councillor Spall
Councillor Ward
Councillor Wayne
Councillor Williamson

- Caledonian;
- Junction;
- Finsbury Park;
- St Peter's;
- St Mary's;
- Holloway;
- Hillrise;
- Holloway;
- Canonbury;
- Tollington;

Quorum: 3 councillors



A.	Formal Matters	Page
1.	Introductions	
2.	Apologies for Absence	
3.	Declarations of Substitute Members	
4.	Declarations of Interest	

If you have a **Disclosable Pecuniary Interest*** in an item of business:

- if it is not yet on the council's register, you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you **must** leave the room without participating in discussion of the item.

If you have a **personal** interest in an item of business **and** you intend to speak or vote on the item you **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but you **may** participate in the discussion and vote on the item.

***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

(b) Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

(c) Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

(d) Land - Any beneficial interest in land which is within the council's area.

(e) Licences - Any licence to occupy land in the council's area for a month or longer.

(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

(g) Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to **all** members present at the meeting.

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| 2. | 161 - 169 Essex Road, London, N1 2SN - Listed Building Consent | 33 - 50 |
| 3. | Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1. | 51 - 130 |
| 4. | Zimco House, 16-28 Tabernacle Street & 10-14 Epworth Street, Islington, London EC2A 4LU | 131 -
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C. Urgent non-exempt items (if any)

Any non-exempt items which the Chair agrees should be considered urgent by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

Date of Next Meeting: Planning Committee, 24 February 2015

Please note all committee agendas, reports and minutes are available on the council's website:

www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

The Planning Committee consists of ten locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Committee has discretion to bring forward items, or vary the order of the agenda, where there is a lot of public interest.

Consideration of the Application

After hearing from council officers about the main issues of the proposal and any information additional to the written report, the Chair will invite those objectors who have registered to speak for up to three minutes on any point relevant to the application. If more than one objector is present for any application then the Chair may request that a spokesperson should speak on behalf of all the objectors. The spokesperson should be selected before the meeting begins. The applicant will then be invited to address the meeting also for three minutes. These arrangements may be varied at the Chair's discretion.

Members of the Planning Committee will then discuss and vote to decide the application. The drawings forming the application are available for inspection by members during the discussion.

Please note that the Planning Committee will not be in a position to consider any additional material (e.g. further letters, plans, diagrams etc.) presented on that evening. Should you wish to provide any such information, please send this to the case officer a minimum of 24 hours before the meeting. If you submitted an objection but now feel that revisions or clarifications have addressed your earlier concerns, please write to inform us as soon as possible.

What Are Relevant Planning Objections?

The Planning Committee is required to decide on planning applications in accordance with the policies in the Development Plan unless there are compelling other reasons. The officer's report to the Planning Committee will refer to the relevant policies and evaluate the application against these policies. Loss of light, openness or privacy, disturbance to neighbouring properties from proposed intrusive uses, over development or the impact of proposed development in terms of size, scale, design or character on other buildings in the area, are relevant grounds for objection. Loss of property value, disturbance during building works and competition with existing uses are not. Loss of view is not a relevant ground for objection, however an unacceptable increase in sense of enclosure is.

For further information on how the Planning Committee operates and how to put your views to the Planning Committee please call Zoe Crane on 020 7527 3044. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk.

London Borough of Islington

Planning Committee - 16 December 2014

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 16 December 2014 at 7.30 pm.

Present: **Councillors:** Klute (Vice-Chair), Chowdhury, Fletcher, Gantly, Kay, Nicholls and Poyser

Councillor Klute in the Chair

- 54** **INTRODUCTIONS (Item A1)**
Councillor Klute welcomed everyone to the meeting. Member of the Committee and officers introduced themselves.
- 55** **APOLOGIES FOR ABSENCE (Item A2)**
Apologies were received from Councillors Khan and Rupert Perry.
- 56** **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
There were no substitute members.
- 57** **DECLARATIONS OF INTEREST (Item A4)**
None.
- 58** **ORDER OF BUSINESS (Item A5)**
The order of business would be B1, B3 and B2.
- 59** **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meeting held on 11 November 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 60** **351 CALEDONIAN ROAD AND GIFFORD STREET RAILWAY EMBANKMENT, LONDON, N1 1DW (Item B1)**
Demolition of existing vacant two storey warehouse building. Redevelopment of site to provide 156 residential units, through erection of a four storey linear building (with five storey element to west end) adjacent to railway line; erection of five detached blocks (one x six-storey, three x five-storey and one x four storey buildings); erection of part one, part three storey building to Caledonian Road frontage – including a 41sqm A1/A2/A3 commercial unit at ground floor level; together with creation of an access road into the site from Caledonian Road, provision of wheelchair accessible car parking, comprehensive landscaping including provision of pedestrian access from Carnoustie Drive, and associated ancillary development.

(Planning application number: P2014/0609/FUL)

An addendum report detailing independent viability review reports had been circulated, a copy of which would be interleaved with the agenda.

In the discussion the following points were made:

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- The development would result in a 5% loss in nature conservation land on the Site of Importance for Nature Conservation (SINC).
- Ongoing treatment had not eradicated the Japanese Knotweed on the site so several metres of earth would have to be dug out.
- Officers considered the heights of the buildings to be appropriate as they were not out of scale with nearby buildings.
- Objectors had concerns about the impact of the development on their TV signals.
- The development could not be gated as the Section 106 agreement required there to be 24 hour pedestrian access.
- The impact on daylight and sunlight to windows on Bunning Way and the overshadowing of gardens on Bunning Way had been assessed and overall fell within BRE guidance.
- The applicants confirmed they would agree to the Section 106 being amended to ensure there was no impact on TV reception to nearby residents.

Councillor Poyser proposed a motion to amend the Section 106 agreement to ensure there was no impact on TV reception to nearby residents. This was seconded by Councillor Klute and carried.

RESOLVED:

That planning permission be granted subject to the completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer's report with the amendment outlined above, subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London and subject to the conditions and informatives in the officer's report.

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37-47 WHARF ROAD, LONDON, N1 7RJ (Item B2)

Demolition of existing buildings and residential redevelopment of the site to provide 98 dwellings (18 x one bedroom, 50 x two bedroom, 24 x three bedroom and 6 x four bedroom units) in a part two, part eight storey building, together with cycle parking and amenity spaces.

(Planning application number: P2014/2131/FUL)

In the discussion the following points were made:

- The Daylight and Sunlight assessments did not verify whether the rooms were habitable or not so the results assumed the worst case scenario i.e. that all the rooms were habitable.
- The applicant confirmed that Family Mosaic charged social rents wherever possible and that units would initially be allocated according to 100% nominations from the council.
- 100% of the properties currently proposed to be social rented would remain as social rented properties for 30 years and the percentage could diminish after this time. This was standard wording in the contract to providers.

RESOLVED:

That planning permission be granted subject to the completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer's report and the conditions and informatives in the officer's report.

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96-100 CLERKENWELL ROAD, LONDON, EC1M 5RJ (Item B3)

Planning Committee - 16 December 2014

Demolition of all existing structures onsite (forecourt shop, canopy and pumps) and the erection of an eight storey building plus basement levels comprising of a 212 bedroom hotel (Class C1), five self-contained residential units (facing onto and entrances onto St John's Square comprising of a 4 x three bedroom units and 1 x 2 bedroom unit), the creation of 93 square metres of office/workshop space (Class B1), 410 square metres of flexible commercial floorspace (Retail A1 use and restaurant A3 uses) with a new pedestrian access from Clerkenwell Road to St John's Square, cycle storage provision, landscaping and associated alterations.

(Planning application number: P2014/0373/FUL)

In the discussion the following points were made:

- Concerns were raised about the servicing arrangements and the management of vehicle movements in St John Square. Members were advised that a banksman would be employed to manage and monitor servicing and delivery vehicles entering and exiting the square and there would be a booking system for delivery and servicing vehicles.
- The applicant stated that if vehicles arrived outside of the agreed time, they could wait in a holding area in a street away from the square until an agreed time. The holding area suggestion should be explored further.
- There was concern raised regarding the cumulative impacts of servicing of St John's Square and whether this had been adequately assessed.
- Concern was raised about the impact there would be on manoeuvrability within the square if the turning head became blocked.
- The extant permission expired in March 2015.
- There would be an adverse impact on daylight and sunlight levels to some windows in Spectrum House. However daylight and sunlight levels were considered acceptable.
- Taxis would stop at the Clerkenwell Road entrance of the hotel.
- The applicants stated that bookings would be restricted to a maximum of parties of ten to ensure coaches would need to access the site.
- The applicants confirmed that the reason they were not using the extant permission was that the building had been marketed as an office for many years and there had been no success. They stated that the configuration of the building was more suited to a hotel than an office.

Councillor Gantly proposed a motion to amend the Section 106 agreement to restrict bookings to a maximum of parties of ten. This was seconded by Councillor Klute and carried.

Councillor Klute proposed a motion to defer the consideration of the application to enable the applicants to undertake more work on the servicing and traffic management plan. This was seconded by Councillor Poyser and carried.

RESOLVED:

That the consideration of the planning application be deferred to enable the applicants to undertake more work on the servicing and traffic management plan.

The meeting ended at 10.00 pm

CHAIR

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Schedule of Planning Applications

PLANNING COMMITTEE - Tuesday 20 January, 2015

COMMITTEE AGENDA

1 161 - 169 Essex Road London N1 2SN

2 161-169 Essex Road, London. N1 2SN

3 Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.

4 Zimco House, 16-28 Tabernacle Street & 10-14 Epworth Street London EC2A 4LU

1 161 - 169 Essex Road London N1 2SN

Ward: St. Marys

Proposed Development: Application to vary the wording of condition 1 of planning permission reference P120092 dated 30 January 2013 that granted the 'temporary change of use to D1 use to allow the building to be used as a place of worship for a maximum period of 3 years [approved for a maximum period of 2 years]. The amendment of condition 1 would to extend the time limit for the temporary use of the building for a further 3 years from the date of permission. Also Removal/Variation of condition ref P2014/3177(S73) submitted.

Application Number: P2014/3185/S73

Application Type: Removal/Variation of Condition (Section 73)

Case Officer: Nathaniel Baker

Name of Applicant: Mr Christian Kusi-Yeboah

Recommendation:

2 161-169 Essex Road, London. N1 2SN

Ward: St. Marys

Proposed Development: 1.1 Application for Variation of Condition 1 (temporary consent) of listed building consent reference P120093 dated 30 January 2013 for listed building works relating to the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years]. The amendment of condition 1 would to extend the time limit for the temporary use of the building for a further 3 years from the date of permission.

Application Number: P2014/3177/S19

Application Type: Removal/Variation of Condition (Section 19)

Case Officer: Nathaniel Baker

Name of Applicant: Mr Christian Kusi-Yeboah

Recommendation:

3 Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.

Ward: Canonbury

Proposed Development: Demolition of an existing two-storey residential building (Romford House)(consisting of 18 units) and 81 garages to allow for the construction of 70 new homes (27 x 1 bed, 26 x 2 bed, 15 x 3 bed and 2 x 5 bed) across nine infill sites, consisting of the construction of a part three, part four storey block and a two semi-detached pair of dwellings facing Balls Pond Road, a two storey block between Dove Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms (measuring 135.8square metres), a part two, part three storey terraced row facing Wall Street, a part single, part three and part four storey extension to the north east corner of Ongar House, a four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchinson Road and a part single, part two storey terraced row to the rear of Warley House, and the provision of new green space and sports and play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the estate and the relocation of Baxter Road to the front of Romford House.

Application Number: P2014/3363/FUL

Application Type: Full Planning Application

Case Officer: Nathaniel Baker

Name of Applicant: Mr Alistair Gale

Recommendation:

4 Zimco House, 16-28 Tabernacle Street & 10-14 Epworth Street London EC2A 4LU

Ward: Bunhill

Proposed Development: Refurbishment and extensions to the existing building comprising: demolition of existing rear two storey courtyard part of building including former caretaker's flat; demolition of existing fourth floor plant room on Bonhill Street; erection of rear infill extension at ground to fourth floor level; erection of fourth and fifth floor level roof extension along Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with internal reconfiguration; and change of use of the basement (1,778sqm) from B8 distribution warehouse to B1 office. The extensions would provide 2,503sqm of new B1 office accommodation (total 8,578sqm of B1 office floorspace) and the provision of six new residential flats with front terraces at fifth floor level, comprising one x three-bedroom flat and five x two-bedroom flats. PLEASE NOTE; You are being reconsulted as amended plans have been received.

Application Number: P2014/1103/FUL

Application Type: Full Planning Application

Case Officer: Benjamin Dixon

Name of Applicant: Lawnpond LLP

Recommendation:



PLANNING COMMITTEE REPORT

PLANNING COMMITTEE	
Date:	16 December 2014

Application number	P2014/3185/S73
Application type	Variation of Condition
Ward	St Marys Ward
Listed building	Grade II* Listed
Conservation area	Canonbury Conservation Area
Development Plan Context	Site Allocation AUS7 Rail Safeguarding Area Within 100 metres of Strategic Road Network
Licensing Implications	Requires licence
Site Address	161 - 169 Essex Road, London, N1 2SN
Proposal	Application to vary the wording of condition 1 of planning permission reference P120092 dated 30 January 2013 that granted the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years]. The amendment of condition 1 would to extend the time limit for the temporary use of the building for a further 3 years from the date of permission.

Case Officer	Nathaniel Baker
Applicant	Mr Christian Kusi-Yeboah
Agent	Mr David Gurtler – Alpha Planning Ltd

2 RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and

3 SITE PLAN (SITE OUTLINED IN BLACK)



4 PHOTOS OF SITE/STREET

Front:



Rear:



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SUMMARY

- 5.1 The planning application proposes the variation of condition 1 (temporary permission) attached to planning permission ref: P120092 (dated 30/01/2013) for a temporary change of use to a mixed D1 and D2 use for a period of two years. The variation would allow the temporary use to operate for a further 18 months (3 years applied for by applicant).
- 5.2 The building is currently predominantly in D1 use as a church with limited D2 (leisure) uses. With the safeguards secured by the proposed conditions, the land use proposed is broadly considered to be consistent with planning policy and the aims of the NPPF.
- 5.3 The timeframes for the implementation of the previous permission and the generation of interest (and therefore funds) in D2 uses have restricted the full mixed use operation of the building and have not allowed sufficient funding/time for the works to the listed building to be generated/implemented. As such, the increase in the temporary period for a reduced period of 18 months is considered to represent sufficient time for further enabling works to be carried out and provide the impetus for a full restoration of the building.
- 5.4 The proposed works would ensure that the Grade II* Listed Building, which is on English Heritage's 'Heritage at risk' register (2011), continue to be occupied and that further restoration works are carried out.
- 5.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

6 SITE AND SURROUNDING

- 6.1 The site comprises the vacant Carlton Cinema building which was last in use as a bingo hall. The site lies on the north eastern side of Essex Road adjacent to the junction with River Place and close to the junction with Canonbury Road. A substantial mostly brick flank elevation runs along River Place. The distinctive building has an Egyptian style frontage facing onto Essex Road. The side and rear elevations are yellow brick with the ground floor painted, these have minimal window openings and there is also a later rear extension to accommodate the back of house equipment.
- 6.2 Astey's Row forms the north western boundary of the site. The building is set back from the northern boundary with the rear elevation facing an area used for car parking. To the west the site borders the commercial/residential properties facing Essex Road where the building extends to the site boundary, and to the rear the property adjoins residential properties on Astey's Row.
- 6.3 The car park space to the north of the site falls within the Canonbury Conservation Area. This part of the site also includes two existing statutory listed bollards. The site slopes with the natural fall from northeast to southwest, with a level difference of approximately 2.3m along River Place from the corner with Astey's Row to the main entrance on Essex Road.
- 6.4 The frontage of the property lies on Essex Road in an area predominantly consisting of ground floor retail with residential above, within a mix of building styles, mostly 3/4 storeys high. The two-storey Essex Road Station lies on the west corner of Essex Road and Canonbury Road. Northwest of this junction, Essex Road whilst remaining busy becomes more residential in character. The site adjoins two four storey residential flats, Lincoln House and Worcester House on the Astey's Row frontage. On the opposite side of Astey's Row is the New River Walk, which is a strip of open space, including a children's play area, a space which has Grade II Listed railings and other attractive architectural features. Canonbury Villas lies to the north of The New River Walk with a distinctive four storey Edwardian building to its south and four storey mansion blocks.
- 6.5 The Carlton Cinema was opened on 1 September 1930 at which time it had a seating capacity of 2,266. It was designed by George Coles, a noted architect who designed a number of cinemas throughout London and the UK. The building is on English Heritage's, 'Heritage at risk' register (2011). It is registered at level C (Grades A-F with A being highest at risk for a deteriorating building). The plaster work to the ceiling of the main auditorium has been damaged.

7 PROPOSAL (IN DETAIL)

- 7.1 The variation of condition 1 (temporary permission) attached to planning permission ref: P120092 (dated 30/01/2013) which was granted conditional permission for a temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years].
- 7.2 Condition 1 states:

The use of the building hereby approved is granted only for a limited period, being 2 years from the issue of this permission on or before that date the temporary use shall cease.

On the cessation of the temporary use hereby granted the building and land shall revert to the use/purpose for which it was normally used prior to the grant of this planning permission.

REASON: The temporary use is such that the Local Planning Authority is only prepared to grant permission for a limited period in view of the special circumstances of this case. The limitation of the consent period ensures compliance with policies: policy DM29 of the emerging Development Management Policies Submission (June 2012) and Site allocation AUS7 (Site Allocations Submission Document, June 2012).

- 7.3 The proposed variation seeks the extension of the temporary permission for a further three years from the date of decision.

8

RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 8.1 **P072999** - change of use from bingo hall/cinema to religious worship/cinema and ancillary uses – **Granted Conditional Permission** (03/03/2008).
- 8.2 **P080514** - Change of use of building from a bingo hall (Use Class D2) to place of religious worship (Use Class D1) with additional secondary D1 and D2 uses of the main auditorium as a cinema, theatre, live music, sports events, hospitality events, and educational, training and public lectures. Creation of three small screen cinemas at first and second floor level; operation of a refreshments bar and a coffee bar at ground floor level and a cafe / restaurant (Use Class A3) at first floor level; creation of youth / community facilities (Use Class D1) at third floor level; together with sympathetic refurbishment of both interior and external elevations - **Granted Conditional Permission** (14/04/2009).
- 8.3 **P080515** - Listed Building Consent application in connection with refurbishment of existing building, internal alterations, new roof plant and minor external alterations and extensions – **Granted Conditional Consent** (14/04/2009).
- 8.4 **P091018** - Renovation and alterations of and two level basement extension to the existing Listed Building with change of use to provide a mix of D1 and D2 uses (2317 seat theatre, 110 seat cinema, 520 seat banqueting hall, 255.3sq.m flexible meeting rooms for place of worship, theatre, live music, sports events, hospitality events and educational, training, public lectures and community use). In addition the erection of a two storey roof extension, seven storey rear extension and a four storey infill extension to the west to create 44 private flats (15x1, 26x2, 1x3, and 2x4 beds), day care centre with ancillary 4 car parking spaces and 64 cycle spaces - **Appeal Dismissed** (11/04/2011).
- 8.5 **P091019** - Listed Building Consent application in connection with renovation and alterations of existing Listed building as part of redevelopment proposal for mix-use development incorporating two level basement extension, two storey roof extension, seven storey rear extension and a four storey infill extension to provide a mix of D1 and D2 uses and 44 private flats with ancillary facilities - **Appeal Dismissed** (11/04/2011).
- 8.6 **P120656** - Application to replace extant full planning permission reference: P080514 (dated 14 April 2009) for the: Change of use of building from a bingo hall (Use Class D2) to place of religious worship (Use Class D1) with additional secondary D1 and

D2 uses of the main auditorium as a cinema, theatre, live music, sports events, hospitality events, and educational, training and public lectures. Creation of three small screen cinemas at first and second floor level; operation of a refreshments bar and a coffee bar at ground floor level and a cafe / restaurant (Use Class A3) at first floor level; creation of youth / community facilities (Use Class D1) at third floor level; together with refurbishment of both interior and external elevations – **Refused Permission** (21/06/2012).

- 8.7 **P120092** - Temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years] - **Granted Conditional Permission** (30/01/2013).
- 8.8 This application has been implemented but not all of the relevant 'prior to occupation' conditions have been discharged.
- 8.9 **P120093** - Temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use, and installation of temporary partitions within the main auditorium space to allow the building to be used as a place of worship for a maximum period of 3 years [Consent granted for a 2 year period only] - **Granted Conditional Consent** (30/01/2013).
- 8.10 This application has been implemented but not all of the relevant 'prior to occupation' conditions have been discharged.
- 8.11 **P2013/2959/AOD** - Approval of details pursuant to conditions 3 (Access Management Plan), 4 (Bicycle storage), 5 (Operational Management Plan), 6 (Community Management Plan), 8 (Open yard - servicing and parking details), 9 (refuse and recycling), 10 (Boundary Treatment) & 13 (Green Travel Plan) of planning permission ref: P120092 – **Refused Permission** (02/12/2014)
- 8.12 **P2013/0811/AOD** - Approval of details pursuant to conditions 2 (method statement), 3 (scheme for repair of auditorium), 5 (historic plasterwork), 6 (infilling of door openings), 7 (partitions) and 9 (historic fixtures and fittings) Listed building consent ref P120093 dated 30 January 2013 – **Approved with no conditions** (21/08/2014).
- 8.13 **P2014/3177/S19** - Application for Variation of Condition 1 (temporary consent) of listed building consent reference P120093 dated 30 January 2013 for listed building works relating to the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years]. The amendment of condition 1 would to extend the time limit for the temporary use of the building for a further 3 years from the date of permission – **Pending Consideration**.
- 8.14 In addition to the above planning and listed building consent applications the site is subject to a number of Enforcement investigations.

PRE-APPLICATION ADVICE:

- 8.15 **Q2014/4170/MJR** – Pre-application submission for the renovation of the building, bringing the auditorium back into use for 2000 people and various other rooms (including backstage, front of house rooms and meeting rooms) and a rear extension to create 24 new flats - Currently being considered.

ENFORCEMENT

- 8.16 The Enforcement Team are currently investigation two complaints regarding the site. These relate to works to the faience and the insertion of UPVC windows to the side elevation. The works to the faience are dealt with via condition in the listed building application (Ref: P2014/3177/S73). The UPVC windows did not form part of this or the original application at the site and are a separate Enforcement matter.

9

CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 218 adjoining and nearby properties at Astey's Row, Canonbury Road, Halton Road, Melville Place and Essex Road on 29th August 2014. A site notice was placed at the site and the application advertised on 4th September 2014. The public consultation of the application therefore expired on 25th September 2014, however it is the council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report a total of 2 responses had been received from the public with regard to the application. These consisted of 2 objections to the proposal. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

- The existing use of the premises results in noise nuisance with loud noise regularly exceeding the hours of use (paras 9.7 and 11.32 -11.37);

Support:

- One respondent notes that they would have no objection to only extending the change of use for a place of worship.

Non-planning issues:

- Concern raised regarding potential development of the building with resultant impacts on parking, traffic congestion and night time noise (paras 11.41);

External Consultees

- 9.3 **English Heritage** – No response received. However, it should be noted that no objection has been raised to the associated listed building consent application (P2014/31477/S73).

Internal Consultees

- 9.4 **Design and Conservation Officer** – Some works have been carried out at the site which are in breach of conditions on the original consent but subject to appropriate conditions these works are not objected to.

The main concern is the retention of the large partition to the main auditorium which is visually harmful to the most important space in the building. In spite of these concerns it is appreciated that there has not been the expected interest in the use of the building and therefore insufficient funds to carry out all of the works previously

consented. There have also been a number of positive works carried out as previously approved.

Subject to the temporary permission being extended by 1 year to reflect the originally applied for consent and that no further time extension were to be applied for, no objection is raised to the temporary permission.

- 9.5 **Licensing** – A licensing application was withdrawn by the applicant earlier this year. There were 18 representations in opposition to the proposals.

Given that the application was to authorise alcohol and regulated entertainment the planning authorisation was not adequate.

The concerns relevant to the planning extension would be that a number of residents did mention periodic noise nuisance from services at the church.

- 9.6 **Transport Planning Officer** – Subject to the same conditions being added to any extension of temporary permission with assurances that the details would be forthcoming (within a limited timeframe) no objections are raised.

- 9.7 **Public Protection (Noise Issues)** – There have been 7 complaints made over 2013 and 2014 regarding noise from the site. A statutory noise nuisance has not been witnessed and Noise/Patrol/Pollution Team are not taking any further action.

10 RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 10.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 10.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 10.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013.

- Grade II* Listed Building
- Canonbury Conservation Area
- Site Allocation – AUS7
- Within 100 metres of strategic Road Network
- RS2 Rail Safeguarding Area

Supplementary Planning Guidance (SPG) / Document (SPD)

10.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Environmental Impact Assessment

10.5 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

11 ASSESSMENT

11.1 Section 73 of the Town and Country Planning Act 1990 concerns 'determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under S73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it.

11.2 Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. Since the grant of the temporary permission Islington's Local Plan: Development Management Policies (2013) and Islington's Local Plan: Site Allocations (2013) have been adopted, while the Islington UDP (2002) has been superseded.

11.3 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application, as well as the National Planning Policy Guidance (NPPG).

11.4 The main issues arising from this proposal relate to:

- Land use
- Design, Conservation and Heritage
- Neighbouring amenity
- Highways and Transportation

Land-use

11.5 The Core Strategy (2011) is clear that cultural and entertainment uses (such as the D2 use of the site) should be protected and encouraged in town centres. More specifically policy CS5 of the Core Strategy states that "*The Angel will be strengthened as a cultural destination by protecting and encouraging arts and entertainments uses*".

11.6 Policy DM4.12 of the Development Management Policies (2013) states that the loss of and/or change of use of cultural facilities (including cinemas) will be strongly resisted. The supporting text of this policy emphasises the wealth of cultural attractions within Islington, which lie at the heart of Islington's economy, identity, sense of place and/or attraction for residents and visitors from London, the UK and abroad and seeks to maintain and enhance Islington's cultural attractions. Policy DM4.4 'Promoting Islington's Town Centres' supports this policy in that it seeks to maintain and enhance town centre uses, which include D2 uses.

11.7 This is reinforced by London Plan Policy 4.6 which states that boroughs should support the continued success of London's diverse range of cultural and

entertainment enterprises and the cultural and economic benefits that they offer to residents, workers and visitors. The supporting text to this policy states that arts, cultural and heritage facilities within Angel Islington are of more than local importance. Furthermore, London Plan Policies 2.15 and 4.7 seek to support and enhance leisure, art and cultural services within Town Centres

- 11.8 With regard to the D1 use of the site, the supporting text of policy DM4.12 states that social infrastructure (which includes places of worship) is vital to the identity and function of the borough, contributing to its diversity, vitality and sustainable communities. DM4.12C states that new social infrastructure should be located in accessible locations, provide accessible and inclusive space, maximise shared use of the facility for recreational and community uses and complement existing uses and the character of the area, avoiding adverse impacts on the amenity of surrounding uses.
- 11.9 London Plan Policy 3.16 supports the provision of social infrastructure in accessible locations and also states that, *“Wherever possible, the multiple use of premises should be encouraged.”*
- 11.10 The site also falls within Site Allocation AUS7 of Islington’s Local Plan: Site Allocations (2013). The site allocation states:

“This former cinema and bingo hall can play a key role in helping to strengthen Angel Town Centre as a cultural destination by protecting and encouraging arts and entertainment uses. The building was used for public entertainment until recently, demonstrating its importance in the social, economic and cultural history of the area and should be retained for an appropriate use which reflects this. Any future proposal should primarily retain assembly and leisure use (D2) and supporting functions. Some restaurant and cafe (A3) use may also be acceptable.”

Previous Permission:

- 11.11 Temporary permission was granted for a two year period on 30th January 2013 for refurbishment works to the ground floor of the then vacant Grade II* listed former Carlton Cinema building and the change of use from a bingo hall (D2 use) to a ‘mixed’ place of religious worship (D1 use) and leisure facility (D2 use) for a temporary period of two years. The predominant use was intended to be as a place of worship. The previous use of the building and the use to which the property would revert at the expiration of the temporary permission is a D2 use.
- 11.12 The temporary consent was applied for under the previous application for a three year period primarily because of the applicant’s inability to implement the 2009 approval or undertake a scheme to refurbish the whole building. The applicant had estimated on the previous application that the cost of refurbishment of the building would be in the order of £4 700 000, a sum that the church was unable to raise at the time.
- 11.13 It was concluded in the previous application that the granting of a temporary permission for two years gave the Council the opportunity to monitor and assess the applicant’s commitment towards operating a fully integrated mixed use building. If operated in accordance with the submitted details and those required by condition it could be both a cultural and community benefit for Islington. With these safeguards secured the land use proposed was broadly considered to be consistent with (then emerging) planning policy and accorded with the aims of the NPPF.

Consideration of Submission:

- 11.14 The religious worship (D1) use of the site is detailed by the applicant to operate twice a week (Sunday and Tuesday) and the original application also detailed this use on Christmas Eve, Christmas Day, New Year's Eve, New Year's Day, Good Friday, Easter Sunday and during a two week annual conference. In comparison, individual D2 uses at the site are detailed to have only occurred four times since the operation commenced with 10 provisional bookings up to the expiry of the original temporary application.
- 11.15 Furthermore, during 12 months of operation the applicant has failed to obtain a Premises License to enable the building to be used for plays, films, live and recorded music, dance, conferences, product launches, comedy shows, theatre and cinema uses, together with the sale of refreshments and alcohol. The applicant has detailed that the application was withdrawn due to the number of representations received in opposition to the proposal and the License Officer has confirmed this.
- 11.16 However, the applicant has set out that after programme tenders, contracts, submission of details, marketing and publicity are taken into account the two year temporary permission was insufficient to allow the site to become established as a venue and facility for wider social and cultural use, or generate an income to enable subsequent phases of refurbishment and restoration work. The building therefore only became operational from 24th August 2013.
- 11.17 Whilst condition 5 of the original permission required an annual audit report detailing non-religious worship occupancy to be submitted on the first anniversary of the operation and at the end of the two year period, the current application was submitted within 1 year of the date of operation and sets out the relevant information.
- 11.18 Following the commencement of the operation the applicant has detailed that the D2 use has been promoted within the locality and across London, with the following methods having been employed to gain D2 (leisure) users:
- Written to local schools offering free use of the facilities for shows;
 - Appointed a management company;
 - Had 'open house' events for key agencies and suppliers;
 - Advertised locally; and
 - Submitted a Premises License.
- 11.19 The methods of promotion of the D2 use of the building are considered to be appropriate; but restrictive to the D2 use of the building is the lack of a premises licence, which may, in part, explain the low level of uptake.
- 11.20 However, the applicant has recently applied to the General Register Office (part of HM Passport Office) to register the building as a 'Public Place of Worship'. If registered, the provision of any entertainment or entertainment facilities would not be regarded as the provision of 'regulated entertainment' for the purposes of the Licensing Act 2003, as amended. As such, the building could be used to provide the following entertainment where this takes place in the presence of an audience and is provided for the purpose, or for purposes which include the purpose, of entertaining that audience:
- a) Performance of a play;
 - b) an exhibition of a film;
 - c) an indoor sporting event;

- d) a boxing or wrestling entertainment;
- e) a performance of live music;
- f) any playing of recorded music;
- g) a performance of dance; and
- h) entertainment of a similar description to that falling within paragraph e), f) or g).

and

- a) Making music;
- b) dancing; and
- c) entertainment of a similar description to that falling within paragraph a) or b)

11.21 For clarity this would not include the sale of alcohol, which would still require a premises license.

Land Use Conclusions:

11.22 It was acknowledged in the previous application that during the temporary permission the predominant use of the building would be D1, but that fundamental to the reason for granting permission was the fully integrated mixed use of the building. The details submitted to date and the various works which have been carried out at the site, some without consent, could be considered to show a lack of commitment to the mixed use of the building. However, the applicant has set out that the original two year permission, taking into account the timeframes and considerations set out above (including the advertisement of the premises, use of a management company, open house events, offers to local schools and the application to register the site as a 'Public Place of Worship'), have not allowed a sufficient period of time to give effect to these arrangements.

11.23 Whilst it is noted that a number of conditions fundamental to the permission have not been discharged, notably the requirement for an Operation Management Plan, where relevant the wording of relevant conditions are proposed to be amended. This would ensure that where details were previously required to be submitted and approved in writing 'prior to the commencement of operation', the details would be submitted within 6 weeks of the date of the permission. This would ensure that the originally intended safeguards were either secured within a short timeframe or where not complied with or not submitted within the required time period appropriate enforcement action could be taken.

11.24 Taking into account all material considerations and the safeguards proposed and set out above, it is considered that an extended temporary time period would provide a sufficient period for a fully informed and robust assessment of the results over this further (18 month) time period could be made which would then inform future permanent solutions for the site.

11.25 It should be noted that the continued operation of the site through temporary permissions in perpetuity would not represent a satisfactory commitment to the operation of a fully integrated mixed use building. Accordingly, the 3 year period of extension applied for would not be appropriate. As such, an 18 month extension to the original permission, which takes into account the originally applied for length of the temporary permission (3 years), the time lost to making the building operational and the time required to obtain a premises license and/or register the building as a 'Place of Religious Worship' and discharge the recommended conditions is appropriate.

11.26 It is therefore considered that the granting of an extended temporary permission for an additional 18 months will give the applicant time to put the above measures into place and the Council the opportunity to monitor and assess the applicant's commitment towards operating a fully integrated mixed use building. If operated in accordance with the submitted details and those required by condition it could be both a cultural and community benefit for Islington. Additionally it would give further opportunity to keep this Grade II* Listed Building in occupation, working towards investment and improvements into this valuable designated heritage asset, which is on English Heritage's, 'Heritage at risk' register (2011). With these safeguards secured the land use proposed is broadly considered to be consistent with planning policy and the aims of the NPPF.

Design, Conservation and Heritage:

11.27 The original temporary consent at the building included extensive works to the grade II* Listed Building, a number of which, particularly the partition within the auditorium were harmful to the significance of the listed building. However, the temporary use was considered to represent an opportunity to bring the building, which is on English Heritage's, 'Heritage at risk' register (2011) back into an active use, which in turn would generate the required funding to undertake renovation works that would restore significance elements of the building and remove the building from the 'Heritage at risk' register. As such, whilst some works of harm were allowed, for the reasons set out above, together with the temporary nature of the use/works, the harm to the listed building was considered to represent enabling works to allow the building to be brought back into a public use. Furthermore, the harmful elements were constructed in such a way that they could be easily reversed without harm to the heritage asset.

11.28 Of the previously consented works, some have been successfully implemented (such as repairs to plaster work), some works have been carried out in breach of condition 9 (the paint work and faience cleaning) and others are yet to be implemented. The previously imposed conditions on the listed building consent have now been mostly discharged and the conditions recommended on this application reflect this.

11.29 It is noted that concern has been raised by the Design and Conservation Team regarding the length of time of any extension to the temporary permission due to the continued harm to the listed building becoming established, such as the auditorium partition. However, these comments also set out that the granting of a limited period of extension would ensure further time, as originally applied for, to generate funds and continue the renovation of the building.

11.30 It is considered that the extension of the temporary period, whilst maintaining some harmful works, would provide a further period of enabling works and for some of the various works carried out at the property to be implemented or rectified. Whilst there is harm to the heritage asset, it is considered that the continued use of this Grade II* listed building and the continued works to the property would provide the impetus for a future full restoration rather than result in a vacant building at risk of further deleterious impacts on its significance and on balance the extension of the time period is considered to be acceptable in this case.

11.31 Notwithstanding this, whilst the Design and Conservation Team have suggested an increase in time of 1 year to reflect the proposed development applied for as part of the original application, a period of 18 months is considered to be appropriate due to the time spent by the applicant in bringing the building back into use and to allow

sufficient time for the discharge of conditions recommended as part of this application.

Neighbouring Amenity

- 11.32 With regard to neighbour amenity, the previous temporary permission was not considered to detrimentally impact upon the amenity of the neighbouring occupants. Since the grant of that permission it is noted that a premises licence application was submitted and the licensing team have confirmed that a number of representations were received as part of that application which raised concerns over noise and disturbance from the use of the site. Additionally, two representations have been received in response to the consultation relevant to this application which also raise concerns over noise and disturbance.
- 11.33 The Council's Public Protection Team have detailed that there have only been 7 noise complaints received covering 2013 and 2014 and that no statutory noise nuisance has been recorded. With the exception of one complaint, the times at which the noise complaints were received are within the previously approved hours of operation. However, to address these concerns, a condition is recommended that would restrict the noise emissions audible outside of the site.
- 11.34 The previous temporary permission included a number of safeguards to ensure that the proposed use would not detrimentally impact upon adjoining occupier's amenity. The officer's report for the previous application states that the 2 year temporary permission would allow the Council the opportunity to review any impact and consider any potential remedies at that time.
- 11.35 The relevant condition relating to neighbour amenity (the Community Management Plan) has not been discharged and as such is re-imposed with a limited period for its submission and approval. Additionally, condition 7 of the original permission, which limited the hours of use of the property, are proposed to be re-imposed. The hours of use are as follows:
- 0730 to 22:00 Mondays to Thursdays;
 - 0730 to 23:00 on Fridays;
 - 0800 to 23:00 Saturdays; and
 - 0800 to 20:00 on Sundays and Public Holidays.
- 11.36 Subject to these conditions, the proposed extension of time to the temporary permission is considered to be acceptable with regard to neighbour amenity.
- 11.37 Additionally, should any Premises License be forthcoming, this would also include sufficient safeguards to ensure that the premises would not impact upon the amenity of the neighbouring occupiers.

Highways and Transportation

- 11.38 The site has a PTAL of 6a which is 'Excellent with Essex Road and Highbury and Islington railway stations in close proximity and a number of bus routes running along Essex Road. The site includes a rear yard which has previously been used for informal parking and for servicing the building. The use of this yard for accessible parking and servicing was considered to be acceptable subject to details being submitted. Similarly, whilst the auditorium can accommodate up to 588 people and a Transport Assessment or Transport Statement was not submitted, subject to conditions requiring a Community Management Plan. Green Travel Plan and parking

restrictions, the previous proposal was considered to be acceptable with regard to Highways and Transportation considerations.

- 11.39 Although the conditions referred to above have not been discharged, the continued temporary use of the site would not raise any new concerns with regard to Highway and Transportation, subject to the details required by condition being updated to reflect the extended temporary period.

National Planning Policy Framework

- 11.40 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth and protect the heritage asset.

Other Matters

- 11.41 A representation has been received which raises concern regarding potential future development at the site and the impact upon neighbouring residents and the transport network. This application only relates to the temporary permission applied for and should any future application be submitted to further develop the site all relevant planning considerations would be assessed at this time.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 The planning application proposes the variation of condition 1 (temporary permission) attached to planning permission ref: P120092 (dated 30/01/2013) for a temporary change of use to a mixed D1 and D2 use for a period of two years. The variation would allow the temporary use to operate for a further 18 months (3 years applied for by applicant).
- 12.2 The building is currently predominantly in D1 use as a church with limited D2 (leisure) uses. With the safeguards secured by the proposed conditions, the land use proposed is broadly considered to be consistent with planning policy and the aims of the NPPF.
- 12.3 The timeframes for the implementation of the previous permission and the generation of interest (and therefore funds) in D2 uses have restricted the full mixed use operation of the building and have not allowed sufficient funding/time for the works to the listed building to be generated/implemented. As such, the increase in the temporary period for a reduced period of 18 months is considered to represent sufficient time for further enabling works to be carried out and provide the impetus for a full restoration of the building.
- 12.4 The proposed works would ensure that the Grade II* Listed Building, which is on English Heritage's 'Heritage at risk' register (2011), continue to be occupied and that further restoration works are carried out.
- 12.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

Conclusion

- 12.6 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	Temporary Permission (Compliance)
	<p>CONDITION: The use of the building hereby approved is granted only for a limited period, being 18 months from the issue of this permission on or before that date the temporary use shall cease. On the cessation of the temporary use hereby granted the building and land shall revert to the use/purpose for which it was normally used prior to the grant of this planning permission.</p> <p>Reason: The temporary use is such that the Local Planning Authority is only prepared to grant permission for a limited period in view of the special circumstances of this case.</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>RR11.REPM/ER.01 Rev D; RR11.REPM/ER.02 Design and Access Statement (Savills), Scope of works (Savills, sent by email 14th December 2012), 3055/001A and Planning Statement (ref: APL/00056/RES/DGu).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Access Management Plan
	<p>CONDITION: An Access Management Plan shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The Access Management Plan shall detail how:</p> <p>a) services will be delivered to people with mobility impairments, visual and hearing impairments, cognitive disabilities;</p> <p>b) where physical access is provided; how services and facilities will be effectively inclusive and what provisions are made for safe egress; and</p> <p>c) where no physical access is provided, what alternative means have been established by which to deliver equivalent services.</p> <p>Upon the approval of an Access Management Plan the site shall be operated in full accordance with the plan at all times.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
4	Cycle Store (Details)
	<p>CONDITION: A plan detailing bicycle storage, which shall provide for no less than a total of 25 bicycle spaces shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The bicycle store shall be installed and operational within 3 months of the approval of the details.</p>

	REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.
5	Operational Management Plan (Details)
	<p>CONDITION: An Operational Management Plan shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The Operation Management Plan shall detail how:</p> <p>a) the basis by which the mixed use venue will operate; and b) set out the application process by which interested groups and individuals can hire the premises. c) an Annual Audit report detailing non-religious worship occupancy shall be submitted to the Council on the first anniversary of operation and at the end of the two year permission.</p> <p>Upon the approval of an Operational Management Plan the site shall be operated in full accordance with the plan at all times.</p> <p>REASON: To attempt to ensure that the premises offer a range of community and cultural activities.</p>
6	Community Management Plan (Details)
	<p>CONDITION: A Community Management Plan shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The Community Management Plan shall contain measures and commitments to ensure the building is neighbourhood friendly, and these shall include:</p> <p>i) details of a stewarding scheme for visitors entering and leaving the site (including regarding car parking); ii) details of a community liaison scheme to address residents' issues and concerns; and; iii) other matters raised by the green travel plans</p> <p>Upon the approval of a Community Management Plan the site shall be operated in full accordance with the plan at all times.</p> <p>REASON: In order to protect the amenity of neighbouring residential occupiers.</p>
7	Hours of Operation (Compliance)
	<p>CONDITION: The religious worship use and any other use taking place within the building (as hereby approved) shall only operate between the hours of:</p> <ul style="list-style-type: none"> • 0730 to 22:00 Mondays to Thursdays; • 0730 to 23:00 on Fridays; • 0800 to 23:00 Saturdays; and • 0800 to 20:00 on Sundays and Public Holidays. <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
8	Service Yard (Details)
	<p>CONDITION: A plan detailing how the open yard area to the rear of the site shall be used for servicing and accessible parking shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. This yard shall only be used for the purposes of servicing the site and to provide disabled parking spaces and shall not be used to provide general parking for staff or visitors.</p>

	<p>Upon the approval of a plan for the service yard this shall be operated in full accordance with the plan at all times.</p> <p>REASON: In order to reduce private car journeys and encourage the use of sustainable modes of transport.</p>
9	Refuse and Recycling (Details)
	<p>CONDITION: Details of refuse and recycling store provision at the site shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The refuse and recycling storage shall be fully implemented in accordance with and within 3 months of the approval of the details.</p> <p>REASON: In order to protect the amenity of the area.</p>
10	Boundary Treatment (Details)
	<p>CONDITION: Details of boundary treatment around the rear service yard shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The details shall include all walls, fencing, gates, footings, their design, appearance and materials.</p> <p>The details shall indicate whether the boundary treatments form proposed, retained or altered boundary treatments.</p> <p>The boundary treatments shall be carried out within 3 months of the approval of the details and strictly in accordance with the details so approved, and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the resulting boundary treatment(s) is functional, attractive and secure.</p>
11	Noise Prevention (Compliance)
	<p>When the main auditorium is in use all entry and exit doors to the premises shall be kept shut.</p> <p>REASON: In order to protect neighbouring residential amenity.</p>
12	CCTV/Lighting (Details)
	<p>CONDITION: Details of site-wide general security measures shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing. The details shall relate to:</p> <p>a) CCTV; b) general lighting; and/or c) security lighting</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill; cameras (detailing view paths); lamps and support structures. The general security measures shall be carried out strictly in accordance with the details so approved, shall be implemented within 3 months of the approval of the details and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the any resulting general or security lighting and CCTV cameras are appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>

13	Green Travel Plan (Details)
	<p>CONDITION: A Green Travel Plan shall be submitted to the Local Planning Authority within 3 months of the date of this decision and approved in writing at the following times:</p> <p>The final travel plan shall include results of monitoring and travel surveys for the operation of the various approved uses of the site for the first six months as well as specific measures and targets for reducing the reliance on cars and encouraging visitors to use more sustainable modes of transport. The site shall be operated in accordance with the approved travel plan at all times.</p> <p>REASON: To promote sustainable modes of transport.</p>
14	External Noise (Compliance)
	<p>CONDITION: No music or amplified sound emanating from the premises shall be audible at 1 metre from the façade of the nearest noise sensitive premises.</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>

List of Informatives:

<p>1</p>	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
<p>2</p>	<p>Car Free Development</p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
<p>3</p>	<p>Working in a Positive and Proactive Way</p> <p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.5 Sub-regions
Policy 2.9 Inner-London
Policy 2.15 Town Centres

3 London's people

Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.16 Protection and Enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
Policy 4.7 Retail and town centre development

5 London's response to climate change

Policy 5.2 Minimising carbon dioxide emissions

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.8 Heritage assets and archaeology
Policy 7.9 Heritage-led regeneration
Policy 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review

Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

CS5 (Angel and Upper Street)
CS8 (Enhancing Islington's Character)

Strategic Policies

CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
CS14 (Retail and Services)
CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM2.3 Heritage

Shops, cultures and services

DM4.2 Entertainment and night-time economy

DM4.3 Location and concentration of uses

DM4.4 Promoting Islington's Town Centres

DM4.12 Social and strategic infrastructure and cultural facilities

DM7.4 Sustainable design standards

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Site Allocations (2013):

Site AUS7 – 161-169 Essex Road – The allocation states that any future proposal should primarily retain assembly and leisure use (D2) and supporting functions. Some restaurant and café use may also be acceptable

Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Grade II* Listed Building
- Canonbury Conservation Area
- Site Allocation – AUS7
- Within 100 metres of strategic Road Network
- RS2 Rail Safeguarding Area

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guide

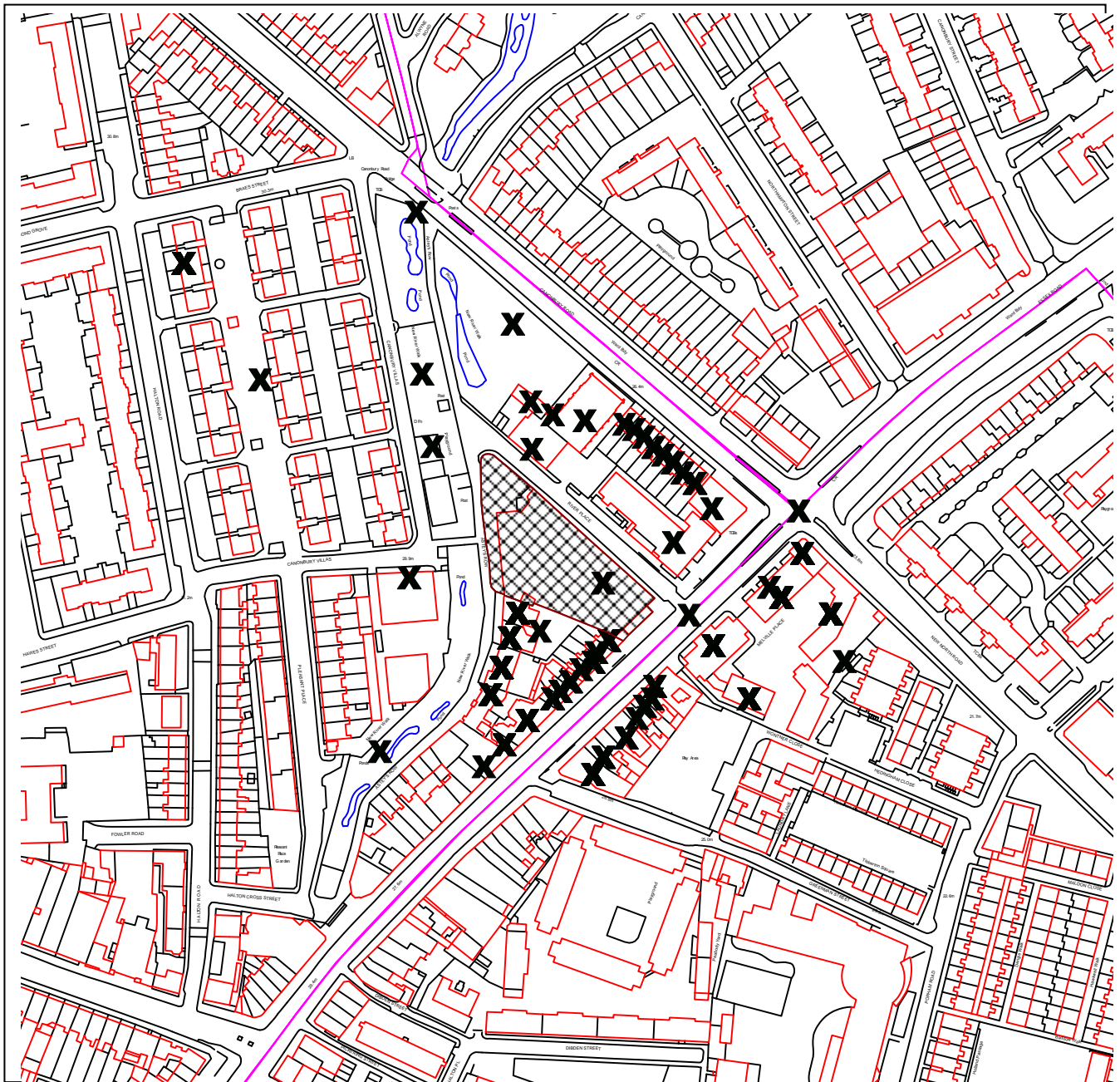
London Plan

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3185/S73

LOCATION: 161 - 169 ESSEX ROAD LONDON N1 2SN

SCALE: 1:2500

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Islington Council, LA086452

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE	
Date:	16 December 2014

Application number	P2014/3177/S19
Application type	Variation of condition to listed building consent
Ward	St Marys Ward
Listed building	Grade II* Listed
Conservation area	Canonbury Conservation Area
Development Plan Context	Site Allocation AUS7 Rail Safeguarding Area Within 100 metres of Strategic Road Network
Licensing Implications	n/a
Site Address	161 - 169 Essex Road, London, N1 2SN
Proposal	Application for Variation of Condition 1 (temporary consent) of listed building consent reference P120093 dated 30 January 2013 for listed building works relating to the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years]. The amendment of condition 1 would to extend the time limit for the temporary use of the building for a further 3 years from the date of permission.

Case Officer	Nathaniel Baker
Applicant	Mr Christian Kusi-Yeboah
Agent	Mr David Gurtler – Alpha Planning Ltd

2 RECOMMENDATION

The Committee is asked to resolve to **GRANT** listed building consent:

- subject to the conditions set out in Appendix 1;

3 SITE PLAN (SITE OUTLINED IN BLACK)



4 PHOTOS OF SITE/STREET

Front:



Rear:



5

SUMMARY

- 5.1 The listed building consent application proposes the variation of condition 1 (temporary permission) attached to listed building consent ref: P120093 (dated 30/01/2013) for listed building works relating to the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years. The variation would allow the temporary use to operate for a further 18 months (3 years applied for by applicant).
- 5.2 The building is currently predominantly in D1 use as a church with limited D2 (leisure) uses. With the safeguards secured by the proposed conditions, the land use proposed is broadly considered to be consistent with planning policy and the aims of the NPPF.
- 5.3 The timeframes for the implementation of the previous permission and the generation of interest (and therefore funds) in D2 uses have restricted the full mixed use operation of the building and have not allowed sufficient funding/time for the works to the listed building to be generated/implemented. As such, the increase in the temporary period for a reduced period of 18 months is considered to represent sufficient time for further enabling works to be carried out and provide the impetus for a full restoration of the building.
- 5.4 The proposed works would ensure that the Grade II* Listed Building, which is on English Heritage's 'Heritage at risk' register (2011), continue to be occupied and that further restoration works are carried out.
- 5.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

6 SITE AND SURROUNDING

- 6.1 The site comprises the vacant Carlton Cinema building which was last in use as a bingo hall. The site lies on the north eastern side of Essex Road adjacent to the junction with River Place and close to the junction with Canonbury Road. A substantial mostly brick flank elevation runs along River Place. The distinctive building has an Egyptian style frontage facing onto Essex Road. The side and rear elevations are yellow brick with the ground floor painted, these have minimal window openings and there is also a later rear extension to accommodate the back of house equipment.
- 6.2 Astey's Row forms the north western boundary of the site. The building is set back from the northern boundary with the rear elevation facing an area used for car parking. To the west the site borders the commercial/residential properties facing Essex Road where the building extends to the site boundary, and to the rear the property adjoins residential properties on Astey's Row.
- 6.3 The car park space to the north of the site falls within the Canonbury Conservation Area. This part of the site also includes two existing statutory listed bollards. The site slopes with the natural fall from northeast to southwest, with a level difference of approximately 2.3m along River Place from the corner with Astey's Row to the main entrance on Essex Road.
- 6.4 The frontage of the property lies on Essex Road in an area predominantly consisting of ground floor retail with residential above, within a mix of building styles, mostly 3/4 storeys high. The two-storey Essex Road Station lies on the west corner of Essex Road and Canonbury Road. Northwest of this junction, Essex Road whilst remaining busy becomes more residential in character. The site adjoins two four storey residential flats, Lincoln House and Worcester House on the Astey's Row frontage. On the opposite side of Astey's Row is the New River Walk, which is a strip of open space, including a children's play area, a space which has Grade II Listed railings and other attractive architectural features. Canonbury Villas lies to the north of The New River Walk with a distinctive four storey Edwardian building to its south and four storey mansion blocks.
- 6.5 The Carlton Cinema was opened on 1 September 1930 at which time it had a seating capacity of 2,266. It was designed by George Coles, a noted architect who designed a number of cinemas throughout London and the UK. The building is on English Heritage's, 'Heritage at risk' register (2011). It is registered at level C (Grades A-F with A being highest at risk for a deteriorating building). The plaster work to the ceiling of the main auditorium has been damaged.

7 PROPOSAL (IN DETAIL)

- 7.1 The Variation of condition 1 (temporary permission) attached to listed building ref: P120093 (dated 30/01/2013) which was granted conditional permission for a temporary change of use to d1 use to allow the building to be used as a place of worship for a maximum period of 3 years [approved for a maximum period of 2 years].
- 7.2 Condition 1 states:

Temporary consent is hereby granted for the works listed below for the sole benefit of occupation of the premises by Resurrection Manifestations and no other. The premises shall be reinstated to satisfaction of the Local Planning Authority within 2

years of the date of this consent or prior to Resurrection Manifestation's occupation of the premises ceasing, whichever is earliest.

- i) all temporary partitions; and
- ii) all works associated with and dependant on the temporary partitions other than appropriate repairs to significant original or historic fabric.

REASON: To protect the special interest of the building included on the statutory list whilst recognising the special circumstances surrounding the proposal and the specific needs of Resurrection Manifestations to ensure long term compliance with the aims of the NPPF, policy 7.8 of the London Plan 2011 and emerging policy DM3 of the Development Management Framework Policies (submission) June 2012.

7.3 The proposed variation seeks the extension of the temporary permission for a further three years from the date of decision.

8

RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 8.1 **P072999** - change of use from bingo hall/cinema to religious worship/cinema and ancillary uses – **Granted Conditional Permission** (03/03/2008).
- 8.2 **P080514** - Change of use of building from a bingo hall (Use Class D2) to place of religious worship (Use Class D1) with additional secondary D1 and D2 uses of the main auditorium as a cinema, theatre, live music, sports events, hospitality events, and educational, training and public lectures. Creation of three small screen cinemas at first and second floor level; operation of a refreshments bar and a coffee bar at ground floor level and a cafe / restaurant (Use Class A3) at first floor level; creation of youth / community facilities (Use Class D1) at third floor level; together with sympathetic refurbishment of both interior and external elevations - **Granted Conditional Permission** (14/04/2009).
- 8.3 **P080515** - Listed Building Consent application in connection with refurbishment of existing building, internal alterations, new roof plant and minor external alterations and extensions – **Granted Conditional Consent** (14/04/2009).
- 8.4 **P091018** - Renovation and alterations of and two level basement extension to the existing Listed Building with change of use to provide a mix of D1 and D2 uses (2317 seat theatre, 110 seat cinema, 520 seat banqueting hall, 255.3sq.m flexible meeting rooms for place of worship, theatre, live music, sports events, hospitality events and educational, training, public lectures and community use). In addition the erection of a two storey roof extension, seven storey rear extension and a four storey infill extension to the west to create 44 private flats (15x1, 26x2, 1x3, and 2x4 beds), day care centre with ancillary 4 car parking spaces and 64 cycle spaces - **Appeal Dismissed** (11/04/2011).
- 8.5 **P091019** - Listed Building Consent application in connection with renovation and alterations of existing Listed building as part of redevelopment proposal for mix-use development incorporating two level basement extension, two storey roof extension, seven storey rear extension and a four storey infill extension to provide a mix of D1 and D2 uses and 44 private flats with ancillary facilities - **Appeal Dismissed** (11/04/2011).

- 8.6 **P120656** - Application to replace extant full planning permission reference: P080514 (dated 14 April 2009) for the: Change of use of building from a bingo hall (Use Class D2) to place of religious worship (Use Class D1) with additional secondary D1 and D2 uses of the main auditorium as a cinema, theatre, live music, sports events, hospitality events, and educational, training and public lectures. Creation of three small screen cinemas at first and second floor level; operation of a refreshments bar and a coffee bar at ground floor level and a cafe / restaurant (Use Class A3) at first floor level; creation of youth / community facilities (Use Class D1) at third floor level; together with refurbishment of both interior and external elevations – **Refused Permission** (21/06/2012).
- 8.7 **P120092** - Temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years] - **Granted Conditional Permission** (30/01/2013).
- 8.8 This application has been implemented but not all of the relevant 'prior to occupation' conditions have been discharged.
- 8.9 **P120093** - Temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use, and installation of temporary partitions within the main auditorium space to allow the building to be used as a place of worship for a maximum period of 3 years [Consent granted for a 2 year period only] - **Granted Conditional Consent** (30/01/2013).
- 8.10 This application has been implemented but not all of the relevant 'prior to occupation' conditions have been discharged.
- 8.11 **P2013/2959/AOD** - Approval of details pursuant to conditions 3 (Access Management Plan), 4 (Bicycle storage), 5 (Operational Management Plan), 6 (Community Management Plan), 8 (Open yard - servicing and parking details), 9 (refuse and recycling), 10 (Boundary Treatment) & 13 (Green Travel Plan) of planning permission ref: P120092 – **Refused Permission** (02/12/2014)
- 8.12 **P2013/0811/AOD** - Approval of details pursuant to conditions 2 (method statement), 3 (scheme for repair of auditorium), 5 (historic plasterwork), 6 (infilling of door openings), 7 (partitions) and 9 (historic fixtures and fittings) Listed building consent ref P120093 dated 30 January 2013 – **Approved with no conditions** (21/08/2014).
- 8.13 **P2014/3185/S73** - Application to vary the wording of condition 1 of planning permission reference P120092 dated 30 January 2013 that granted the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years]. The amendment of condition 1 would to extend the time limit for the temporary use of the building for a further 3 years from the date of permission – **Pending Consideration**.
- 8.14 In addition to the above planning and listed building consent applications the site is subject to a number of Enforcement investigations.
- PRE-APPLICATION ADVICE:**
- 8.15 **Q2014/4170/MJR** – Pre-application submission for the renovation of the building, bringing the auditorium back into use for 2000 people and various other rooms (including backstage, front of house rooms and meeting rooms) and a rear extension to create 24 new flats - Currently being considered.

ENFORCEMENT

- 8.16 The Enforcement Team are currently investigation two complaints regarding the site. These relate to works to the faience and the insertion of UPVC windows to the side elevation. The works to the faience are dealt with via condition in the listed building application (Ref: P2014/3177/S73). The UPVC windows did not form part of this or the original application at the site and are a separate Enforcement matter.

9

CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 218 adjoining and nearby properties at Astey's Row, Canonbury Road, Halton Road, Melville Place and Essex Road on 29th August 2014. A site notice was placed at the site and the application advertised on 4th September 2014. The public consultation of the application therefore expired on 25th September 2014, however it is the council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

External Consultees

- 9.3 **English Heritage** – Authorisation to determine an application for Listed Building Consent as seen fit. This application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Internal Consultees

- 9.4 **Design and Conservation Officer** – Some works have been carried out at the site which are in breach of conditions on the original consent but subject to appropriate conditions these works are not objected to.

The main concern is the retention of the large partition to the main auditorium which is visually harmful to the most important space in the building. In spite of these concerns it is appreciated that there has not been the expected interest in the use of the building and therefore insufficient funds to carry out all of the works previously consented. There have also been a number of positive works carried out as previously approved.

Subject to the temporary permission being extended by 1 year to reflect the originally applied for consent and that no further time extension were to be applied for, no objection is raised to the temporary permission.

10

RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 10.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this

and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 10.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 10.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013.
- Grade II* Listed Building
 - Canonbury Conservation Area
 - Site Allocation – AUS7
 - Within 100 metres of strategic Road Network
 - RS2 Rail Safeguarding Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 10.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

11 ASSESSMENT

- 11.1 Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 concerns 'application for variation or discharge of conditions'. Section 19 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under S19 is granted, the effect is the issue of a fresh grant of consent and the notice should list all conditions pertaining to it.
- 11.2 Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. Since the grant of the temporary permission Islington's Local Plan: Development Management Policies (2013) and Islington's Local Plan: Site Allocations (2013) have been adopted, while the Islington UDP (2002) has been superseded.
- 11.3 The National Planning Policy Framework (NPPF) has been considered in the assessment of this application, as well as the National Planning Policy Guidance (NPPG).
- 11.4 The main issues arising from this proposal relate to the impact upon the listed building.
- 11.5 The original temporary consent at the building included extensive works to the grade II* Listed Building, a number of which, particularly the partition within the auditorium were harmful to the significance of the listed building. However, the temporary use was considered to represent an opportunity to bring the building, which is on English Heritage's, 'Heritage at risk' register (2011) back into an active use, which in turn would generate the required funding to undertake renovation works that would restore significance elements of the building and remove the building from the 'Heritage at risk' register. As such, whilst some works of harm were allowed, for the

reasons set out above, together with the temporary nature of the use/works, the harm to the listed building was considered to represent enabling works to allow the building to be brought back into a public use. Furthermore, the harmful elements were constructed in such a way that they could be easily reversed without harm to the heritage asset.

- 11.6 Of the previously consented works, some have been successfully implemented (such as repairs to plaster work), some works have been carried out in breach of condition 9 (the paint work and faience cleaning) and others are yet to be implemented. The previously imposed conditions on the listed building consent have now been mostly discharged and the conditions recommended on this application reflect this.
- 11.7 It is noted that concern has been raised by the Design and Conservation Team regarding the length of time of any extension to the temporary permission due to the continued harm to the listed building becoming established, such as the auditorium partition. However, these comments also set out that the granting of a limited period of extension would ensure further time, as originally applied for, to generate funds and continue the renovation of the building.
- 11.8 It is considered that the extension of the temporary period, whilst maintaining some harmful works, would provide a further period of enabling works and for some of the various works carried out at the property to be implemented or rectified. Whilst there is harm to the heritage asset, it is considered that the continued use of this Grade II* listed building and the continued works to the property would provide the impetus for a future full restoration rather than result in a vacant building at risk of further deleterious impacts on its significance and on balance the extension of the time period is considered to be acceptable in this case.
- 11.9 Notwithstanding this, whilst the Design and Conservation Team have suggested an increase in time of 1 year to reflect the proposed development applied for as part of the original application, a period of 18 months is considered to be appropriate due to the time spent by the applicant in bringing the building back into use and to allow sufficient time for the discharge of conditions recommended as part of this application.

National Planning Policy Framework

- 11.10 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth and protect the heritage asset.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 The listed building consent application proposes the variation of condition 1 (temporary permission) attached to listed building consent ref: P120093 (dated 30/01/2013) for listed building works relating to the temporary change of use to a mixed D1 (non-residential institution) and D2 (assembly and leisure) use for a maximum period of 3 years [approved for a maximum period of 2 years. The variation would allow the temporary use to operate for a further 18 months (3 years applied for by applicant).
- 12.2 The building is currently predominantly in D1 use as a church with limited D2 (leisure) uses. With the safeguards secured by the proposed conditions, the land use

proposed is broadly considered to be consistent with planning policy and the aims of the NPPF.

- 12.3 The timeframes for the implementation of the previous permission and the generation of interest (and therefore funds) in D2 uses have restricted the full mixed use operation of the building and have not allowed sufficient funding/time for the works to the listed building to be generated/implemented. As such, the increase in the temporary period for a reduced period of 18 months is considered to represent sufficient time for further enabling works to be carried out and provide the impetus for a full restoration of the building.
- 12.4 The proposed works would ensure that the Grade II* Listed Building, which is on English Heritage's 'Heritage at risk' register (2011), continue to be occupied and that further restoration works are carried out.
- 12.5 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

Conclusion

- 12.6 It is recommended that listed building consent be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of listed building consent be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: Temporary consent is hereby granted for the works listed below for the sole benefit of occupation of the premises by Resurrection Manifestations and no other. The premises shall be reinstated to the satisfaction of the Local Planning Authority within 18 months of the date of this consent or prior to Resurrection Manifestation's occupation of the premises ceasing, whichever is the earliest.</p> <p>i) all temporary partitions; and ii) all works associated with and dependent on the temporary partitions other than appropriate repairs to significant original or historic fabric</p> <p>REASON: To protect the special interest of the building included on the statutory list whilst recognising the special circumstances surrounding the proposal and the specific needs of Resurrection Manifestations.</p>
2	All External and Internal Works to Match (Compliance)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
3	Removal of Floor Surfaces (Compliance)
	<p>CONDITION: Notwithstanding the proposed plans, no consent is granted for the removal of any significant original or historic floor surfaces. These works shall be implemented in accordance with the information approved under the Approval of Details application ref. P2013/0811/AOD associated with Listed Building Consent ref. P120093.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
4	Works to Faience (Details)
	<p>CONDITION: Details of all remedial works to the faience shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this decision. The remedial works shall be carried out within 3 months of them being approved.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
5	Removal of Plasterwork (Compliance)
	<p>CONDITION: Notwithstanding the proposed plans, no consent is granted for the removal of any significant original or historic plasterwork unless demonstrated to be beyond repair. These works shall be implemented in accordance with the information</p>

	<p>approved under the Approval of Details application ref. P2013/0811/AOD associated with Listed Building Consent ref. P120093.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
6	Infilling/Sealing of Doors (Compliance)
	<p>CONDITION: Notwithstanding the proposed plans no consent is granted for any infilling of door openings or sealing off of access to the stairs to the upper levels.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
7	Partitions (Compliance)
	<p>CONDITIONS: Notwithstanding the proposed plans no consent is granted for any partitions which cut into significant original or historic joinery or plasterwork or damage any other significant original or historic fabric. They shall be scribed around any significant original or historic fabric and shall be fully reversible. These works shall be implemented in accordance with the information approved under the Approval of Details application ref. P2013/0811/AOD associated with Listed Building Consent ref. P120093.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
8	Historic Paint Specialist Report (Details)
	<p>CONDITION: A historic paint specialist's report, which includes historic paint analysis, and detailed proposals for any new paint scheme (which should accurately replicate the significant original or historic paint scheme where appropriate) shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this decision.</p> <p>The works shall be carried out strictly in accordance with the details so approved within 3 months of them being approved.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>
9	Removal of Fixtures and Fittings (Compliance)
	<p>CONDITION: Notwithstanding the proposed plans no consent is granted for the removal of any significant original or historic fixtures and fittings (including door furniture). These works shall be implemented in accordance with the information approved under the Approval of Details application ref. P2013/0811/AOD associated with Listed Building Consent ref. P120093.</p> <p>REASON: In order to deliver sustainable design and to safeguard the special architectural or historic interest of the heritage asset.</p>

List of Informatives:

1	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
2	<p>Working in a Positive and Proactive Way</p> <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

Conditions:

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

7 London's living places and spaces

- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.9 Heritage-led regeneration

B) Islington Core Strategy 2011

Spatial Strategy

- CS5 (Angel and Upper Street)
- CS8 (Enhancing Islington's Character)

Infrastructure and Implementation

- Policy CS18 (Delivery and Infrastructure)
- Policy CS19 (Health Impact Assessments)

Strategic Policies

- CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
- CS14 (Retail and Services)
- CS17 (Sports and Recreation Provision)

C) Development Management Policies June 2013

Design and Heritage

- DM2.1** Design
- DM2.2** Inclusive Design
- DM2.3** Heritage

Site Allocations (2013):

Site AUS7 – 161-169 Essex Road – The allocation states that any future proposal should primarily retain assembly and leisure use (D2) and supporting functions. Some restaurant and café use may also be acceptable

Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Grade II* Listed Building
- Canonbury Conservation Area
- Site Allocation – AUS7
- Within 100 metres of strategic Road Network
- RS2 Rail Safeguarding Area

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guide

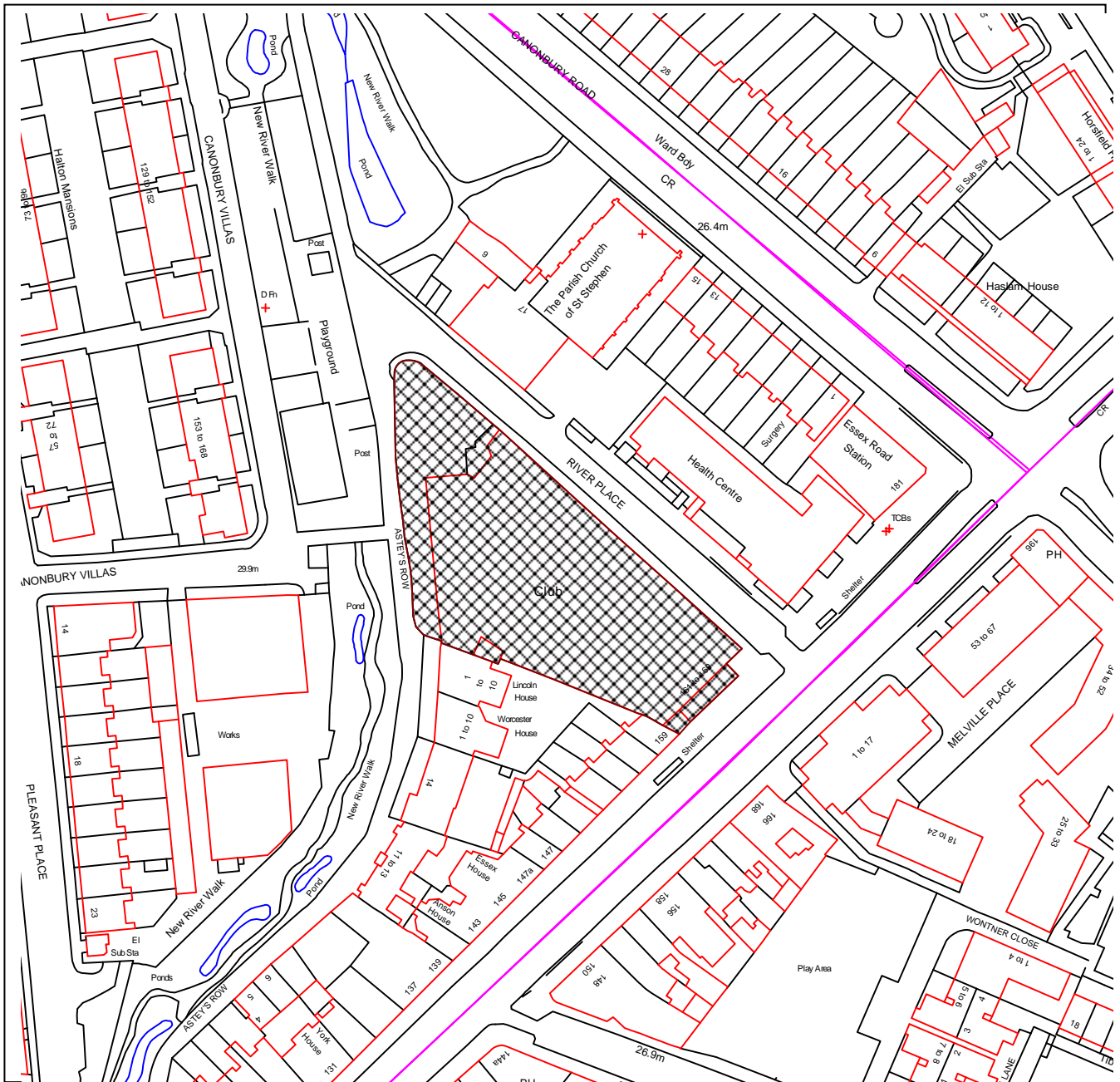
London Plan

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3177/S19

LOCATION: 161-169 ESSEX ROAD, LONDON. N1 2SN

SCALE: 1:1250

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Islington Council, LA086452

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
 222 Upper Street
 LONDON N1 1YA

PLANNING COMMITTEE	
Date:	16 December 2014
Application number	P2014/3363/FUL
Application type	Full Planning Application
Ward	Canonbury Ward
Listed building	No Listing. Site adjoins boundary of Grade II Listed Hungerford School.
Conservation area	None. East Canonbury Conservation Area to east, south and west. Canonbury Conservation Area to north and west.
Development Plan Context	Open Space – Balls Pond Road Verge and Mitchison and Baxter Open Space SINC – Baxter Road Open Space Crossrail 2 Rail Safeguarding Area (south part of site) Locally Listed Buildings – Mitchison Road and Ockendon Road
Licensing Implications	None
Site Address	Dover Court Estate, including land to north of Queen Elizabeth Court and garages to west of and land to north and east of Threadgold House, Dove Road; garages to east of Illford House, Wall Street; Romford House Mitchison Road; land to east of Westcliff House and Ongar House, Baxter Road; land to east of Greenhills Terrace; and garages to rear of and ball court to west of Warley House, Baxter Road, Islington, London, N1.
Proposal	Demolition of an existing two-storey residential building (Romford House)(consisting of 18 units) and 81 garages to allow for the construction of 70 new homes (27 x 1 bed, 26 x 2 bed, 15 x 3 bed and 2 x 5 bed) across nine infill sites, consisting of the construction of a part three, part four storey block and a two semi-detached pair of dwellings facing Balls Pond Road, a two storey block between Dove

	Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms (measuring 135.8square metres), a part two, part three storey terraced row facing Wall Street, a part single, part three and part four storey extension to the north east corner of Ongar House, a four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchison Road and a part single, part two storey terraced row to the rear of Warley House, and the provision of new green space and sports and play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the estate and the relocation of Baxter Road to the front of Romford House.
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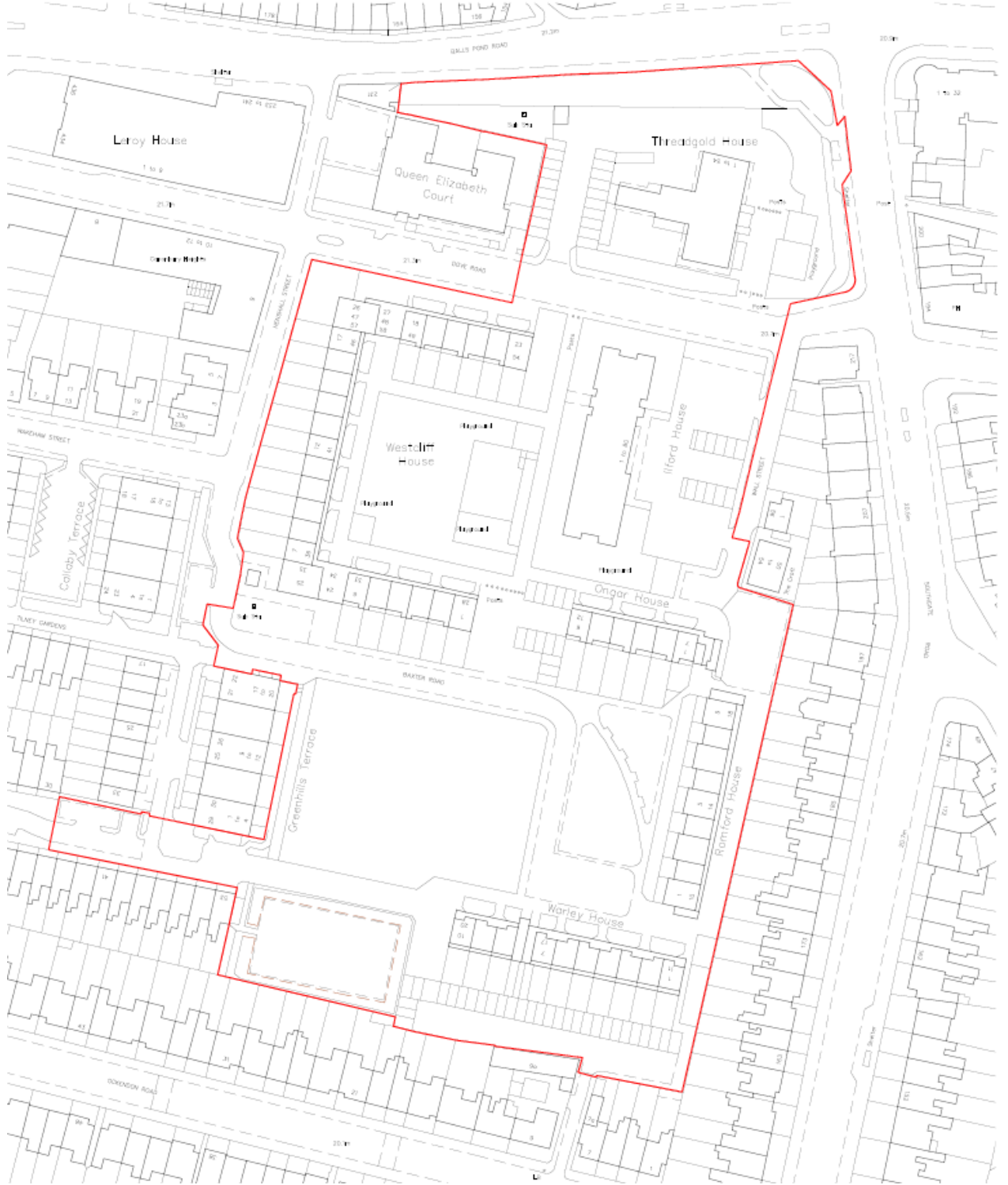
Case Officer	Nathaniel Baker
Applicant	Alistair Gale - New Build and Regeneration Team, London Borough of Islington.
Agent	Riette Oosthuizen - HTA Design LLP

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Directors' Agreement securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET

Photograph 1: Aerial View of Site



4 SUMMARY

- 4.1 The planning application proposes extensive landscaping works to the entire site, the demolition of Romford House and a number of garages to facilitate the construction of 9 residential blocks across the site to provide 70 new dwellings and a community room.
- 4.2 The scheme delivers good quality housing including a high proportion of affordable housing (70% all social rent tenure) and accessible accommodation to address housing needs within the borough.
- 4.3 The landscaping works and alterations to the layout of Baxter Road create an amalgamated open space within the southern part of the estate, reprovided a ball court and providing additional amenity space across the entire estate. The landscaped areas would be of a higher amenity and biodiversity quality than the existing designated Open Space and Site of Importance for Nature Conservation (SINC). While 38 trees would be removed, 102 would be planted.
- 4.4 The scale, massing and form of the proposed development is in keeping with the surrounding built form and would represent a high quality design that responds appropriately to the local context. Density figures are within acceptable levels and the proposed accommodation is of a high residential quality.
- 4.5 Residents concerns predominantly relate to neighbour amenity. The proposed blocks would not be overbearing to neighbouring occupiers. There are identified effects and losses of daylight receipt to neighbouring properties as a result of the development but following a critical assessment of these losses and realistic alternative

development options, it is not considered that this would justify the refusal of the application in the context of the balance of various planning considerations.

- 4.6 On the most part the proposed residential units would achieve Code for Sustainable Homes Level 4, the site would achieve a CO2 reduction of 40% and the Sustainable Urban Drainage Strategy is of a very high standard.
- 4.7 Car parking at the site would be significantly reduced, from 165 spaces to 67 with sufficient accessible parking spaces provided. Cycle parking accords with policy requirements, providing 134 cycle parking spaces across the estate.
- 4.8 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation.

5 SITE AND SURROUNDING

- 5.1 Dover Court Estate is located on the eastern edge of Canonbury Ward, south of Balls Pond Road and close to the boundary with the London Borough of Hackney. The estate is intersected by Dove Road and Baxter Road both of which run east to west across the site, dividing the site into three main areas.
- 5.2 The estate comprises of 252 homes spread across six buildings; Threadgold House, Ilford House, Westcliff House, Ongar House, Romford House and Warley House. These buildings vary in height from two, four and six storey residential blocks, and two residential towers at a height of 10 storeys. There are a number of single storey garage blocks located across the estate and extensive estate and highway parking spaces.
- 5.3 The estate has a relatively high proportion of external amenity and public space, with a ball court on Mitchison Road, green open space at Baxter Road and semi-private open space within the central courtyard formed by Westcliff House, which is surrounded by a fence and incorporates a former playground area and a disused, sunken playspace. There are a number of smaller areas of soft landscaping and mature trees, inclusive of street trees, throughout the estate.
- 5.4 The surrounding built form is predominantly comprised of three and four storey Victorian and Georgian terraces within traditional street layouts. An exception to this is to the north west of the site where Queen Elizabeth Court, sheltered accommodation for over 55s, Leroy House, a commercial property and Canonbury Heights, a converted warehouse in residential use are between four and five storeys in height. Immediately to the west of the site are three Council built residential blocks at three storey height, notably Greenhills Terrace which adjoins the western end of Baxter Road
- 5.5 The site is not located in a conservation area, however the East Canonbury Conservation Area wraps around the east, south and west boundaries of the southern most part of the site and Canonbury Conservation Area to the north west of the site beyond Westcliff House. The site and immediately neighbouring properties are not listed.
- 5.6 Mitchison ball court and the green space around Baxter Road are both designated Open Space and Sites of Importance for Nature Conservation (SINCs), while the verge to the north and east of Threadgold House fronting Balls Pond Road and Southgate Road is designated Open Space.

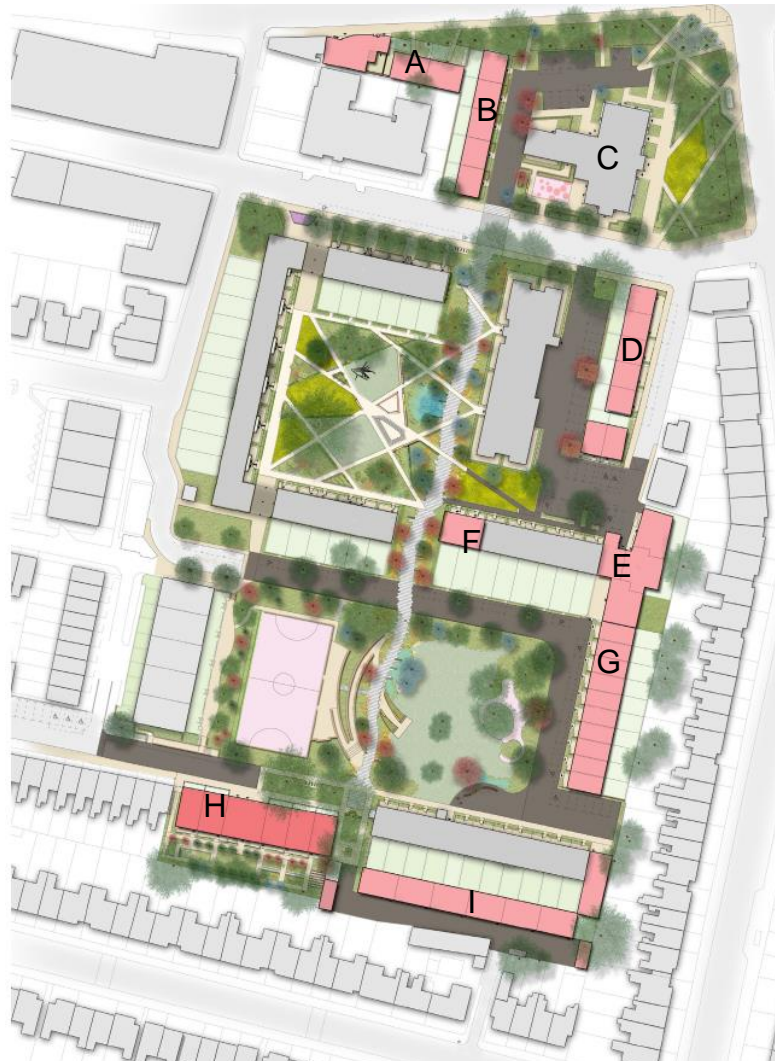
5.7 The southern part of the site encompassing Ongar House, Romford House and Mitchison and Baxter open space is within the Crossrail 2 Rail Safeguarding Area.

6 PROPOSAL (IN DETAIL)

6.1 The proposal comprises of the demolition of a two storey residential building and 81 garages to allow for the construction of 70 new homes (27 x 1 bed, 26 x 2 bed, 15 x 3 bed and 2 x 5 bed) across nine infill sites, alterations to the base of Threadgold House, public realm improvement works, the provision/relocation of green space and sport and play facilities and the relocation of Baxter Road.

6.2 The development proposes a housing split of 70% affordable housing (social rent) and 30% private housing (measured by habitable room). It would provide 8 wheelchair accessible units, representing 9% of habitable rooms and 11.4% by units.

6.3 The proposal for each infill development and the landscaping is detailed below:



6.4 **Block A:** proposes the erection of a part single, three and four storey residential block with a recessed fourth floor and 2 x two storey semi-detached dwellinghouses fronting onto Balls Pond Road. It would provide 4 x 1 bed / 2 person units, 2 x 2 bed / 3 person units and would be private housing.

- 6.5 Block B: proposes the demolition of a row of single storey garages and an electricity substation with the erection of 5 two storey terraced dwellings. It would provide 5 x 3 bed / 4 person units and all of the units would be affordable (social rent).
- 6.6 Block C: proposes the demolition of a single storey row of garages to the west of Threadgold House and alterations to the ground floor elevations and internal layout alterations to create a 1 x 2 bed / 3 person unit on the western side, a community room to the south and a caretakers store and refuse/cycle parking/mobility scooter stores to the north and east.
- 6.7 Block D: proposes the demolition of two rows of single storey garages to the east of Ilford House with the erection of a part two, part three storey terraced row fronting Wall Street and 2 x two storey semi-detached dwellings comprising 7 x 2 bed / 4 person units, all of which would be for private sale.
- 6.8 Block E: proposes the demolition of the stairwell and refuse store on the eastern end of Ongar House and the erection of a part single, three and four storey extension. This would have a 'T' shaped footprint with a three storey projection to the north, a single storey projection to the south, a four storey height where it would adjoin the existing building and would replace a stairwell and lift leading to a deck access to Ongar House. It would provide 2 x 1 bed / 2 person units, 2 x 2 bed / 3 person units, 5 x 2 bed / 4 person units and 1 x 3 bed / 5 person unit, all of which would be affordable (social rent).
- 6.9 Block F: proposes the demolition of two rows of single storey garages and the erection of a four storey extension to the west flank Ongar House to provide 2 x 5 bedroom / 7 person affordable dwellinghouses (social rent).
- 6.10 Block G: proposes the demolition of Romford House and the erection of a terraced row comprising 10 x three storey dwellinghouses. It would provide 10 x 3 bed / 5 person units and all of the units would be affordable (social rent).
- 6.11 Block H: proposes the removal of the Mitchison Road ball court and its replacement with a four storey residential block providing 23 x 1 bed / 2 person units for over 55s, all of which would be affordable (social rent).
- 6.12 Block I: proposes the demolition of a row of single storey garages to the rear of Warley House and the erection of a terraced row of 6 x part single, part two storey mews style dwellinghouses providing 5 x 2 bed / 4 person dwellinghouses and 1 x 3 bed / 5 person dwellinghouse. All of these units would be for private sale.
- 6.13 The proposal includes extensive landscaping works and the alteration of the layout of Baxter Road. The works include:
- Provision of a tree lined pedestrian 'green link' running from the south of the site at Warley House to the north of the site, where it would meet Balls Pond Road;
 - The provision of soft landscaping, footpaths, an estate entrance on the corner of Balls Pond Road and Southgate Road, formal playspace and shared surfaces throughout the estate;
 - The redevelopment of the amenity space between Westcliff House and Ilford House to provide soft landscaping, a number of footpaths and informal and formal playspace;

- Relocation of Baxter Road to run along the north and east sides of Mitchison Baxter Open Space and the amalgamation of two areas of Open Space, incorporating a new ball court and alterations to the footpath fronting Greenhills Terrace;
- The provision of front gardens to Westcliff House, Ongar House and Warley House;
- The removal of 38 trees across the site and the planting of 102 new trees; and
- Provision of refuse stores and cycle parking spaces across the site.

Revision 1:

6.14 The plans were amended on 18th November 2014. The revised plans detailed alterations to the landscaping works surrounding Threadgold House and Ilford House. This was as a result of the Design Review Panel and discussions with the Case Officer.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

7.1 **P072063** - Raise games court by 1.5m, including access ramps, steps and refurbishment of floodlights - Granted Conditional Permission (06/11/2007).

Ongar House:

P010387 - Window renewal using UPVC windows – Granted Conditional Permission (08/05/2001).

Warley House:

P010386 - Installation of replacement windows and doors - Granted Conditional Permission (26/07/2001).

Romford House and Westcliff House:

P010091 - Renewal of existing timber window in PVCU white double glazed casement units - Granted Conditional Permission (23/03/2001).

Threadgold House:

P002554 – Installation of new windows, doors, hard railings and creation of new access with key entry system and general associated maintenance to residential block of flats - Granted Conditional Permission (01/03/2001).

Ilford House:

P000068 - Replacement of all window frames – Granted Conditional Permission (14/03/2000).

PRE-APPLICATION ADVICE:

7.2 The proposal has been subject to ongoing pre-application discussions throughout the last year. The key points which required further consideration during the pre-application process were:

- Sustainable Urban Drainage Strategy;
- Landscaping and Tree Works; and
- The location and design of Block A and H

ENFORCEMENT

7.3 None relevant

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 1139 adjoining and nearby properties at Balls Pond Place, Callaby Terrace, Dove Road, Greenhills Terrace, Mildmay Street, Mitchison Road, Ockendon Road, Wakeham Street, Farriers Yard, Baxter Road, Essex Road, Southgate Road, Tilney Gardens and Wall Street on 03rd September 2014. A number of site notices and a press advert were displayed on 4th September 2014. The public consultation on the application therefore expired on 25th September 2014. However it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report a total of 33 responses and two petitions had been received from the public with regard to the application. The responses consisted of 33 objections and the petitions, one with 23 signatures and one with 13 signatures, both of which raised objection. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

- Objection to loss of access south of Wall Street (paras 10.209 and 10.231);
- Loss of on street parking and addition of residents will increase demand for on street parking (paras 10.210 – 10.214);
- Objection to the location of the Ball Court to the front of Greenhills Terrace, resulting in noise and light disturbance, anti-social-behaviour and reducing views of the front doors. Is there a noise assessment? (paras 10.155 – 10.159 and 10.228);
- The proposed ball court is located close to properties with no children (para 10.223);
- Object to the loss of shrubbery, established planting and trees along Balls Pond Road (paras 10.20 – 10.29 and 10.97 – 10.102);
- The proposed four storey block fronting Ball's Pond Road would be out of scale with the local buildings, including those in the conservation area and of no architectural merit (paras 10.20 – 10.25);
- The four storey block fronting Ball's Pond Road would impact upon neighbour amenity (paras 10.109 – 10.110 and 10.1438 – 10.139);

- The proposed dwellings within Ilford House's car park will overshadow Ilford House, creating a dark and dangerous entrance that would not be safe and result in anti-social-behaviour (paras 10.135, 10.41 and 10.228);
- The dwellings within Ilford House's car park will result in additional noise and overcrowding (paras 10.62 – 10.66);
- There are other areas of the estate with ample space for new units (paras 10.231);
- More lighting, planting and safe spaces are required within the estate (para 10.60);
- Block E will result in overlooking to the properties on Southgate Road (paras 10.119 – 10.121):
- The proposal will result in a loss of light to surrounding properties (paras 10.130 – 10.154);
- Blocks H and I would result in overlooking to the properties on Ockendon Road (paras 10.126 – 10.129);
- Blocks H and I would replace green spaces and would not be in keeping with the character of the area (paras 10.53 – 10.58 and 10.88 – 10.94);
- The link from Ockendon Road would create a thoroughfare through to the estate with associated noise and disturbance, and would not be of a sufficient scale for cars (paras 10.227 and 10.228);
- Block H, due to its height would not be in keeping with the heights of the locality and is located too close to the neighbouring properties to the south, resulting in overlooking to neighbouring properties (paras 10.53 – 10.55);
- Concern raised regarding loss of pedestrian area to the front of Warely House (paras 10.88 -10.94);
- The proposal is over development and the density is too high (paras 10.62 – 10.66);
- Block A and B will have a deleterious impact upon the residential amenity of the residents of Queen Elizabeth Court (paras 10.109 – 10.112 and 10.140-10.141);
- The light survey is based on assumptions and not facts. A survey of all windows affected is required (para 10.130 – 10.154);
- The building work will result in the future loss of trees (paras 10.97 – 10.102);
- The proposal will result in greater levels of anti-social-behaviour (para 10.228);
- Concern raised regarding length of time, disturbance, dust and methods of construction (para 10.230);
- The proposal would remove an advertising hoarding on Balls Pond Road (para 10.23);
- How will residents parking be affected during and after the proposal (para 10.230);
- There will be an increase in traffic in the area (paras 10.208 – 10.215);

- The increase in people living at the estate should be considered with regard to refuse (para 10.219); and
- Noise planters should be included around the whole of the new ball court (paras 10.155 – 10.159).

Non-planning Issues:

- Residents of Southgate Road were not consulted by the applicant prior to the submission of the application (para 8.3);
- The proposal will result in a loss of views (para 10.225);
- Suggestion of alternative landscaping works to Mitchison Road (para 10.231);
- The proposal would tie No. 231 Balls Pond Road into the Estate (para 10.229); and
- The proposal would devalue the surrounding properties (para 10.226).

Applicant's consultation

- 8.3 The applicant, Islington Housing Strategy and Regeneration have carried out three consultation exercises at the site in May 2013, November 2013 and March 2014. The third of these consultations included invites to almost 1400 non-estate residents.
- 8.4 More detailed discussions were also held with the Tenants and Residents Association in addition to residents in Romford House, Queen Elizabeth Court and Greenhills Terrace.

External Consultees

- 8.5 **L.B Hackney Council** – No response received.
- 8.6 **Crime Prevention Officer** – No objections.
- 8.7 **Crossrail 2** – No objection, subject to condition relating to submission of construction method statement.
- 8.8 **Sport England** – No response received.
- 8.9 **UK Power Networks** – No response received.
- 8.10 **Thames Water** – No objection subject to condition requiring details of impact piling method statement and an informative.

Internal Consultees

- 8.11 **Access Officer** – Has been involved throughout the pre-application process. Raises concern regarding shared surfaces, level of accessible units/parking and layout of Block F. However, scheme is generally acceptable.
- 8.12 **Planning Policy** – Support the proposal.
- 8.13 **Design and Conservation Officer** – Has been involved throughout the pre-application and Design Review Panel (DRP) process. Support the proposal and

generally concur with the comments raised at DRP. No objection raised to the proposal.

- 8.14 **Energy Conservation Officer** – Blocks A and I would be Code for Sustainable Homes Level 3, contrary to policy. However, the proposed photovoltaic panels, including some off-site provision would offset the shortfall in renewable energy provision and whilst not meeting the criteria for level 4 it would be at the equivalent level, which is considered to be acceptable.

The reasoning for not connecting to a DEN or providing a CHP is accepted. No objection subject to conditions.

- 8.15 **Sustainability Officer** – The SUDS strategy is acceptable. No objection subject to conditions.

- 8.16 **Transport Planning Officer** – Support the reduction in parking, the level of cycle parking provision and the servicing and deliveries strategy. Question the safety of the shared space to Threadgold House and Ilford House. All new units should have rights to residents parking permits removed.

- 8.17 **Highways** - No objection to stopping up of highway. Concerns raised regarding loss of on-street parking spaces and shared surfaces within Highway land.

- 8.18 **Parks and Open Spaces** – Our interests in the project particularly relate to the developments proposed to Mitchison Baxter Park and the surrounding area. We also undertake the grounds maintenance of the other open spaces on the estate. We have provided input directly to the design team during the design process so far, and also via the Streetbook review. The general principles of the scheme are acceptable. Further comments will be provided at the detail design stage, specifically relating to planting across the site and to assets within the park to ensure their maintainability with the available budgets.

- 8.19 **Tree Preservation / Landscape Officer** – No tree or landscape objections to the proposal. Conditions are recommended.

- 8.20 **Biodiversity and Nature Conservation** – The existing landscaping at the estate is low quality but does include a rare meadow grassland habitat. The aims of the landscaping plans will ensure that a larger site of equivalent or greater biodiversity value will be provided. Subject to conditions, no objection is raised.

- 8.21 **Refuse and Recycling** – No objection.

- 8.22 **Public Protection (Air Quality)** – The NO₂ annual mean objective would be exceeded at the proposed dwellings facing onto Balls Pond Road. However, subject to a condition requiring details of a ventilation scheme to protect the new residents from exposure, no objections are raised.

- 8.23 **Public Protection (Noise Issues)** – No objections raised subject to conditions.

Other Consultees

- 8.24 **The Dover Court Estate Tenants and Residents Association (TRA)** – The TRA has consulted residents and carried out a survey. The main issues raised in this are summarised below:

- Concerns are raised regarding the resident consultation process prior to the submission of the planning application, with residents feeling that the consultation was misleading, rushed, plans were not available, concerns were not taken into account and that a meeting was not held;
- The plans consulted on as part of the application were difficult to find and included elements which were not known to residents;
- Site notices were not erected at the site (para 8.1);
- Request that the application be deferred for the residents to meet with the applicant;
- Block D would increase the density at this part of the site, create noise, overcrowding, exacerbate anti-social behaviour and overshadow and restrict views from Illford House (paras 10.135, 10.41, 10.62 – 10.66, 10.225 and 10.228);
- There are no spaces for deliveries and servicing and it is not clear if there will be disabled bays and blue badge parking for the over 55s block (H) (paras 10.210 – 10.214 and 10.216)
- Concern raised regarding location and amount of refuse stores (para 10.170)
- Concern raised regarding the number of parking bays and re-allocation of bays across the estate (paras 10.210 – 10.214);
- The Council will carry out cyclical repairs at the same time as the new build project is due to begin;
- Questions the amount of cycle storage for existing buildings;
- The over 55s block (H) should be retained for over 55s;
- Concern raised regarding loss of trees and location of new trees in close proximity to houses (paras 10.97 – 10.102);
- Concern raised regarding increases in anti-social behaviour (para 10.228);
- Concern raised regarding the proposed amenity space and ball court use (paras 10.72 – 10.96 and 10.155 – 10.159); and
- Questions raised over quality of landscaping to the front of Greenhills Terrace (para 10.93).

8.25 Emily Thornberry MP for Islington and South Finsbury –There has clearly been a genuine effort to involve residents of the estate in the planning process and to seek their views, which seems to have resulted in a scheme which will provide a decent number of genuinely affordable homes, whilst retaining and improving green areas. It is encouraging that thought has gone into providing accessible homes for older residents as well as increasing the supply of family-sized homes.

It is encouraging to see that Islington Council feels able to propose a scheme with 63% of units for affordable rent and only 27% for private sale (*figures are those quoted in representation*). This provides a useful example of the approach other housing providers should apply in inner London.

I would like to support this application; Islington residents desperately need these homes.

8.26 **Members' Pre-application Forum** – 13th January 2014.

8.27 **Design Review Panel** – At pre-application stage the proposal was considered by the Design Review Panel on the 8th April 2014 and during the application stage on the 17th October 2014. The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by the Design Council/CABE. The panel's observations are attached at Appendix 3 but the main points raised in the most recent review are summarised below:

- The Panel supported and welcomed the proposed regeneration of the estate;
- The Panel considered that the 'green link' had improved but questioned the estate entrance, the number of routes around Threadgold House and suggested that the proposed pedestrian route be extended to Dove Road to improve legibility;
- The Panel questioned the treatment of the base of Threadgold House and the orientation of the accessible unit;
- Considered that a 'raised table' should be incorporated on Dove Road;
- The shared space to the east of Ilford House could act as a round about; and
- The Panel felt that the amenity space to Area 2 had benefitted from further development and the reduction in intersecting routes. Some concerns raised regarding overlaid routes.

8.28 Since the scheme was presented to the Design Review Panel (DRP) the following amendments were made to address the Panel's concerns:

- The pedestrian area surrounding Threadgold House has been rationalised and extended to Dove Road;
- The option of a 'raised table' was explored on dove road but this is contrary to Highway policy and would not be accepted by Highways;
- Options for the north elevation of Threadgold House were explored and dismissed due to their design and feasibility; and
- The footpaths to the amenity area serving Area 2 have been amended and a revised footpath to the south of Ilford house links the shared space to the 'green link'.

9 **RELEVANT POLICIES**

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this

and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013.
- Rail safeguarding Area
 - Site of Importance for Nature Conservation (SINC)
 - Open Space
 - Within 100 metres of Strategic Road Network
 - Within 50 metres of Canonbury Conservation Area
 - Within 50 metres of East Canonbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Environmental Impact Assessment

- 9.5 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Land use
- Design
- Density
- Accessibility
- Landscaping, trees and biodiversity
- Neighbouring amenity
- Quality of residential accommodation
- Dwelling mix
- Affordable housing (and financial viability)
- Energy conservation and sustainability
- Highways and transportation
- Planning obligations/mitigations

Land-use

- 10.2 The site is predominantly in residential use with an area of designated Open Space to the north of the site and a Site of Importance for Nature Conservation (SINC) and

Open Space located to the south of the site around Baxter Road and Mitchison Road.

- 10.3 The proposal consists of the demolition of Romford House and 81 garages and the development across nine infill sites including alterations to Threadgold House to provide 70 new homes, community rooms in the base of Threadgold House and extensive landscape improvement works across the entire estate.
- 10.4 Policy CS12 of the Islington Core Strategy 2011 provides a clear direction of seeking new housing of good quality to meet identified and pressing housing needs, particularly affordability and inclusivity needs. The development on Council land of housing that maximises affordable housing provision is a key element of delivering these policy aims.
- 10.5 The proposal would involve the loss of the western part of the Balls Pond Road Verge Open Space to the north of the site and part of Mitchison and Baxter Open Space and SINC, inclusive of the whole of the existing ball court to the south of the site.
- 10.6 Policy CS15 of the Islington Core Strategy 2011 and DM6.3 of the Development Management Policies 2013 seeks to protect all local open spaces (including semi-private open space on estates), whilst improving their quality and function, and improving access to open space, particularly in those areas that currently have little or no open space locally. Policy CS15 identifies underused spaces on Council housing land to deliver these aims.
- 10.7 Policies CS15 and DM6.3 also seek to protect and enhance biodiversity across the borough through the protection of existing SINCs. The supporting text to DM6.3 states that development on sites of significant biodiversity value will only be considered in wholly exceptional circumstances where high quality re-provision will be required, including at least equal habitat area and value.
- 10.8 The SINC at the site is 'of local importance for value to wildlife', the lowest grade in the SINC hierarchy (borough grade 2). Furthermore, the Islington Open Space, Sport and Recreation Study 2009 (Map 37) identifies the western part of Mitchison and Baxter Open Space and Dove Gardens as below expected value and quality levels, whilst the eastern part of Mitchison and Baxter Open Space is identified as above expected value levels but below quality levels.
- 10.9 The Council's Habitat Survey (2011), which recommended that Baxter Road green space should be considered for designation as a SINC (which it subsequently was), details the two green areas around Baxter Road as having amenity value due to an area of meadow vegetation which has the potential for enhancement. However, the ball court was not detailed as part of this.
- 10.10 Although designated as Open Space and a SINC, as set out above Mitchison and Baxter Open Space is of the lowest biodiversity grade, with opportunities for improvement, whilst the open space is identified as being below expected quality levels in the Open Space, Sport and Recreation Assessment 2009. In addition to this it should be noted that the existing ball court comprises an extensive area of hardstanding of little biodiversity value.
- 10.11 The proposal would result in a net increase of 1410 square metres of additional non-designated open space across the site. This would be achieved through the amalgamation of the eastern and western elements of Mitchison and Baxter Open

Space (inclusive of a new ball court), the extension and extensive landscaping of the amenity space to the east of Westcliff House and to the north and east of Threadgold House and the introduction of a “green link” running north to south through the site.

	Existing Area	Area Remaining Following Implementation	Difference
Open Space	5835	4325	- 1510
SINC	4810	3740	- 1070
Non-designated amenity space	2296	3954	+ 1658
Total amenity space (designated and non-designated)	8681	10091	+ 1410

- 10.12 The applicants submitted figures for the changes in area of designated and non-designated open spaces and SINC areas are based on the assumption that the new space would be re-designated as Open Space and SINC. However, the existing designations would remain unchanged and their status would be dependant upon the Council re-designating these areas following any grant of permission. The re-designation of such spaces is carried out periodically by the Planning Policy Team. As such, for the purposes of this application the resultant amenity space falling outside of any designation is considered as non-designated amenity space.
- 10.13 Whilst there would be losses to designated SINC and Open Space areas, the proposed amenity space would be of a much higher quality than the spaces lost and as stated by the Biodiversity and Nature Conservation Officer the landscaping plans would ensure that a larger site of equivalent or greater value would be provided. The resultant amenity areas would improve the quality and quantity of accessible open space within the locality and provide biodiversity enhancements. This, together with the delivery of 70% of habitable rooms of the scheme as social rent, is considered to represent exceptional circumstances and the loss of designated Open Space and SINC land would be offset by the quantity, quality and biodiversity value of the area reprovided. Appropriate conditions and a Directors' Agreement are recommended to ensure that the proposed landscaped areas are secured as proposed.
- 10.14 Notwithstanding this, during construction there would be periods where the amenity space and biodiversity value of the site would be reduced. To ensure that the maximum possible space is available during construction a phasing condition is recommended (condition 3).
- 10.15 With regard to the ball court, the existing facility is poorly surfaced with low level netting over the top which reduces the flexibility of its use, whilst its location restricts passive surveillance from the surrounding area. The ball court is proposed to be redeveloped to form Block H and a replacement facility provided within Mitchison Baxter Park. Although the proposed ball court would measure 775 square metres, a reduction in 275 square metres from the existing facility, it would incorporate noise reduction features, be overlooked from the park and have a better surface

encouraging greater use. As such, the replacement sports facility would be sufficient in the context of improvements to open space elsewhere in the estate.

- 10.16 Policy DM4.12 of the Development Management Policies 2013 states that new social infrastructure must be located in areas convenient to the communities they serve, accessible by a range of sustainable transport modes, inclusive and flexible, sited to maximise shared use of the facility, complement existing uses and the character of the area whilst avoiding adverse impacts on the amenity of surrounding uses.
- 10.17 The proposed alterations to the ground floor of Threadgold House would relocate the existing refuse store and storage areas in the north and west sides of the block with the services room replaced and the introduction of a community room measuring 135.8 square metres to the south of the building. The community rooms would be accessed from Dove Road and would be available for all residents of the estate. This part of the estate has an 'Excellent' PTAL level and the location of this facility close to the proposed pedestrian routes throughout the site would result in the community rooms being accessible by sustainable transport modes. Furthermore, the open plan of the community rooms, kitchen area and dedicated storage and outdoor spaces ensure that the facility is flexible and would maximise shared use of the facility. In order to mitigate any potential impact on the amenity of surrounding occupiers a Scheme of Management for the community rooms would be secured in the Directors' Agreement.

Design

- 10.18 For the purposes of assessing the design of the proposal, the site has been split into three areas. These consist of Area 1 located between Balls Pond Road and Dove Road; Area 2 located between Dove Road and Baxter Road; and Area 3 located between Baxter Road and Ockendon Road.

Area 1:

- 10.19 This part of the site consists of a ten storey residential block, Threadgold House, surrounded by an extensive area of hardstanding with two rows of single storey garages to the west and an area of Open Space incorporating a number of mature trees stretching along the northern and eastern edges of the site. To the west of the site is Queen Elizabeth Court, a four storey brick building with a single storey rear projection and at the western termination of the open space there is a two storey brick building with a mansard roof and a large advertisement hoarding facing onto the site.
- 10.20 Block A: would sit fronting Balls Pond Road and would stand at part single, three and four storey height with a recessed fourth floor adjoining No. 231 Balls Pond Road, including a semi-detached pair of part single, part two storey dwellinghouses.
- 10.21 The proposed residential block would have a three storey brick elevation with a recessed section where the building meets No. 231 Balls Pond Road which extends up to a set back fourth floor; and to the east, a single storey flank projection. The front elevation would incorporate textured brickwork with this repeated at higher level on the flank elevation, inset balconies are proposed on the flank elevation, while the recessed element, fourth floor and entrance to the block would have metal sheet cladding with areas of laser cut perforated panels. The image below details the residential block:

Front Elevation:

East Elevation:



10.22 The breaking up of the four storey height using different materials and a set back, together with the textural and window detailing, including the use of brick soldier courses and the vertical timber screens on the flank elevation help to give the building a verticality and scale which is in keeping with the Georgian terraces opposite the site within Canonbury Conservation Area and break up its mass.

10.23 Although higher than the adjoining building, the proposed block would continue the established tapering building line and the main bulk (3 storeys) of the proposed block would be set at a similar height to this building. In addition to this, an existing prominent and incongruous advertisement hoarding on the flank elevation of the adjoining building would be removed. An objection to this removal has been received, however the objection has no planning merits and its removal would represent a benefit to the street scene.

10.24 The proposed semi-detached pair of houses would be set to the east of the residential block and setback from Balls Pond Road with front garden areas. These properties would have brick ground floor elevations with dark zinc clad recessed roof projections which slope down towards the rear. The properties would have front gardens bound by steel framed fencing with timber slat infill panels which allow limited views through. The image below details the proposed units (note the fencing is not detailed):



10.25 The reduced first floor area and use of different material from the ground floor, together with the small scale of the units, their set back from the highway, the retention of the trees to the front of the site and their separation from the proposed block to the west would ensure that the dwellings would not be visually prominent in the locality. Furthermore, the brick elevations would provide a level of continuity with both Block A to the west and the flank elevation of Block B to the east.

10.26 **Block B:** proposes the demolition of a row of single storey garages and a sub-station and the erection of a two storey terraced row incorporating five dwellings. The row of garages proposed to be demolished is of little architectural merit and no statutory protection exists to protect them from demolition, as such its loss is not resisted.

10.27 The proposed terraced row would be set further from Queen Elizabeth Court than the existing garages but would have a similar footprint, albeit projecting further to the north and south. The wider terraced row would have brick elevations with a consistent flat roof, a repeated fenestration pattern with the northern most unit being mirrored and a projecting first floor bay window at the northern and southern termination of the terrace. The image below shows the southern extent of the terrace:



10.28 The resultant terraced row would have a simple consistent form with high quality materials that would be in keeping with the established layout of the Dover Court Estate and the predominantly terraced nature of the surrounding area. Furthermore, it would redevelop a currently under used and unwelcoming space, whilst the domestic design and introduction of an active frontage would encourage greater use of the shared space to the front of these units.

10.29 To the rear, where views from Queen Elizabeth Court and Dove Road would be afforded, the terraces would incorporate textural brickwork and some limited window openings to articulate the facing brickwork.

10.30 **Block C:** consists of the base of Threadgold House and an attached row of single storey garages to the west. The row of garages is proposed to be demolished and its loss, in design terms, is not resisted.

10.31 The proposal would introduce two projecting glazed entrances, one to the east elevation to provide a main entrance foyer to the upper floor residential units and one to the proposed community rooms facing onto Dove Road. The main residential access would be located centrally on the eastern elevation and would clearly 'signpost' the entrance to the building, providing a defined frontage onto both the proposed route into the estate and in views from Southgate Road. The glazed entrance to the community rooms would align with a recessed glazed area on the south elevation of the building and provide an active frontage onto Dove Road. The images below detail the two proposed entrances and other works:

Dove Road Elevation



East Elevation



- 10.32 At ground floor level the north south axis of Threadgold House has a repeated concrete frame with recessed facing brickwork and garage door openings. At present the base of the tower appears simply as a plinth and is largely taken up with blank/inactive appearance. The proposal would retain the concrete framing whilst replace the facing brickwork with coloured glazed bricks, glazing and timber openings.
- 10.33 The western projection of Threadgold House would have the existing brickwork, rendered elevations and garage door openings replaced with facing brickwork and openings to create the proposed residential unit. Whilst it is noted that the Design Review Panel questioned the orientation of the ground floor residential unit, the north and south outlook ensure the provision of defensible space. The proposed facing brickwork would match the other proposed residential units detailed above and would provide a further domestic edge to the proposed shared space between Block B and C.
- 10.34 The retention of the concrete frames and the introduction of active uses, openings to services (such as refuse, bicycle and plant room/storage and new facing brickwork, together with the surrounding landscape works would help to better define Threadgold House and provide a high quality ground level presence that would have visual interest and would encourage greater circulation around this space.
- 10.35 It is noted that the Design Review Panel questioned the lack of an active use on the north east corner of Threadgold House where views are afforded from Balls Pond Road and the corner entrance to the estate. It was suggested that glazing and a commercial/community use to this corner should be explored. Varied options have been explored by the applicant to address this DRP comment. However, due to internal constraints, service space requirements and as the proposed elevations represent an improvement over the existing situation; the introduction of such an active use is not considered by officers to be appropriate to this corner.

Area 2:

- 10.36 This part of the site includes a ten storey block, Ilford House, with parking and garages to the east, beyond this is Wall Street encompassing two residential

buildings and the rear gardens of the properties fronting Southgate Road. To the west a four storey block, Westcliff House wraps around the north, west and south of a central amenity space. The south east corner of this part of the site includes Ongar House, a four storey residential block with adjoining access stairs and refuse stores on the eastern end and single storey garages on the western end.

10.37 **Block D:** would introduce a part two and part three storey terraced row fronting onto Wall Street and a two storey semi-detached pair of dwellings facing Ongar House at the southern end of the row. The proposed dwellings would replace two blocks of garages and a car park area. The loss of the garages is supported.

10.38 The terraced element would consist of five dwellings with a repeated gap at second floor level providing a roof terrace and a break in the three storey height, with the unit at the northern end mirrored to provide a greater spacing between three storey elements albeit with a second floor bay window wrapping around the north eastern corner. The image below details the proposed terraced row:

Northern end of Wall Street elevation



North elevation



10.39 The semi-detached pair of dwellings at the southern end of the row would be turned 90 degrees to face south onto the proposed shared space and would have a consistent two storey height. The image below details the proposed semi-detached pair with the 3 storey end of terrace shown behind:



10.40 The terraced row and semi-detached pair would have matching bricks and fenestration details, providing continuity across the entire block. The terraced row would also incorporate textured brickwork at higher level facing onto Wall Street, on the rear of the two storey element and on the rear garden walls. This, together with the deep window reveals and soldier courses would articulate the elevations, whilst demarcating each dwelling. The northern end of the terrace would be highly visible in

views from Dove Road, Southgate Road and from pedestrian routes through the estate. However, the second floor bay window that wraps around the north east corner of the building, together with the other window openings and textural brickwork to the garden wall articulate this elevation and ensure that this would not appear as a blank an inactive elevation.

10.41 This block would be located a 18 metres from Ilford House, retaining a significant space around the tower block and would reintroduce the historic layout of a terraced row fronting onto Wall Street.

10.42 Block E: would involve the removal of a stairwell and refuse store to the east of Ongar House and the extension of this block with a part three and four storey residential block and the provision of an adjoining single storey dwelling to the south. The proposed extension would incorporate a new entrance, stairwell and lift that would serve the upper floors of both the proposed and existing buildings.

10.43 The three storey element and northern projection of Block E would have brick elevations and would be set below the eaves height of Ongar House, while the proposed fourth floor would be clad in dark zinc and set below the roof height of Ongar House. The proposed stairwell and lift shaft would project above the fourth floor of the block and would be set level with the roof ridge of Ongar House. The images below detail the north and west facing elevations:

West Elevation

North elevation



10.44 At first and second floor level the northern elevation would have vertical timber screening to the deck access area, whilst all of the other elevations have repeated window openings and either partly recessed balconies or balconies set within corner recesses. The use of vertical timber screening, fenestration detailing and a high level area of perforated brickwork on the south elevation articulate and give continuity to the elevations which are features of Ongar House. Furthermore, the recessed fourth floor and use of different materials would ensure that the upper floor is subordinate to Ongar House.

10.45 The layout of Block E is such that it appears as a continuation of Ongar House, albeit of a different design and the northern projection would continue the building line of the residential properties immediately to the north of the site.

10.46 To the south the building would step down to a single storey dwellinghouse set between Block E and Block G. Its low height and location within an area set back from the highway would ensure that this property would not be prominent and maintains a visual gap between these two blocks:



10.47 Block F: would involve the demolition of two single storey rows of garages and a four storey extension to the western end of Ongar House to provide two dwellinghouses. This would adjoin Ongar House with a link element set below the eaves height of Ongar House and a flat roof set below the ridge height of the adjoining building.

10.48 The two dwellings would have brick elevations, with high level textured brickwork on the side elevation and would front onto the proposed Dove Gardens area. To the rear each of the dwellings would have gardens at the same depth of those at Ongar House and would have garden walls at the same height as the existing rear boundary walls at this point. At first floor level the rear elevation of the dwellings would have a large projecting bay window which would provide beneficial overlooking to the revised Mitchison Baxter Open Space. The image below details the front, rear and side elevations:

North elevation

South elevation

Side elevation



10.49 The proposed extension would form a continuation of Ongar House whilst introducing two contemporary townhouses to the central route through the site. The design of the dwellings is such that they address the amenity spaces to the north and the south and provides some windows to overlook the central “green link” running through the estate.

Area 3:

10.50 This part of the site consists of a central designated Open Space with Baxter Road running along the north of the main part of the Open Space before intersecting this and leading to Warley House. The central Open Space is surrounded by residential blocks with a two storey block, Romford House to the east, a six storey block, Warley House to the south and a three storey over basement block, Greenhills Terrace to the west. On the southern side of the Open Space is a sunken ball court, with a terraced row of two storey, over basement dwellings to the west of this. Set between Warley House and the three storey properties fronting Ockenden Road is a single storey row of garages.

10.51 Block G: proposes the demolition of Romford House and the erection of a terraced row comprising 10 three storey dwellinghouses. Romford House is a two storey block that is accessed from a rear footpath and is detailed by the applicant to have maintenance issues. This building is of little architectural merit and no statutory protection exists to protect this from demolition, as such its loss, in design terms is not resisted.

10.52 The proposed terraced row would have a repeated townhouse design of traditional proportions with a building line projecting further into the centre of the site than the existing terrace and would be one storey taller. The brick built terraced design with rear back to back gardens and a frontage onto the realigned Baxter Road would be in keeping with the historic layout of the site along Wall Street. Furthermore, the consistent frontage onto the remodelled Mitchison Baxter Park would provide surveillance of the park and help to define this open space. The image below is of the whole terraced row:



10.53 Block H: would be located on the site of the existing sunken ball court and set between Warley House and the terraced dwellings along the south side of Mitchison Road. It would introduce a four storey residential block, partially set below the pavement ground level to the north.

10.54 To the front the block would have deck access at upper floor level with repeated openings and projecting metal clad balconies providing articulation to the facing brickwork and providing openings onto the facade of the flats. The use of a deck access and visible entrances to flats references the design of Warley House to the west whilst the repeated pattern and symmetry references the traditional townhouses to the west. This, together with the four storey height, which represents a

step down from Warley House and a step up from the traditional terraces results in the block acting as a transition between the higher parts of the estate and the more domestic scale of the wider area.

10.55 Additionally the location of the stairwell and lift shaft centrally on the block with vertical timber screening breaks up the considerable scale of the block whilst reinforcing the verticality of the building which is a local characteristic. The image below details the front elevation of the proposed block:



10.56 **Block I:** would involve the demolition of a row of single storey garages and the erection of six part two and part single storey mews style dwellinghouses. The loss of the garages is not resisted in design terms.

10.57 The proposed mews style dwellings would have a similar design to Block A with brick ground floor elevations and dark zinc clad roofs that slope down to the rear, leaving a single storey gap between each property and providing a courtyard garden. The image below details this and the roof form:

Front elevation

Side elevation



10.58 The small scale of the mews development, their minimal roof form, the punctuating gaps at first floor level and the use of high quality materials would ensure that these properties introduced would be of a high design quality and introduce activity to a currently under used and unwelcoming area, improving sense of safety and security.

Conclusion:

10.59 The proposal would introduce nine infill developments across the estate, providing development of a high quality design with an appropriate scale and which

successfully references both the historic and established context of the site. The consistent material palette across all of the developments would also ensure a coherency across the estate. The overall quality of materials and finishes is considered to be key to the success of the proposal. Conditions are attached with regard to window reveals, balcony details and the submission of material samples prior to commencement to ensure that development of an appropriate high quality would be delivered.

- 10.60 The scheme has twice been presented to the Design Review Panel with no criticism of the design of the new blocks, notwithstanding discussions regarding the base of Threadgold House. The proposal would introduce well designed infill developments across the estate that would incorporate high quality materials and provide active frontages and surveillance of the routes through the estate and amenity space, which together with the improved public realm, amenity spaces, a hierarchy of pedestrian routes through the estate result in a much improved legibility.
- 10.61 A condition is recommended (condition 38) removing the permitted development rights for the proposed dwellinghouses to protect the character of the estate and ensure suitable amenity space is maintained to each dwellinghouse.

Density

- 10.62 The London Plan encourages developments to achieve the highest possible intensity of use compatible with the local context. The development scheme proposes a total of 70 new residential dwellings comprised of 231 habitable rooms (hr). The existing site incorporates 252 dwellings (comprising 804 habitable rooms) and 18 units (comprising 28 habitable rooms) are proposed to be demolished at Romford House.
- 10.63 Density is expressed as habitable rooms per hectare (hr/ha) and is calculated by dividing the total number of habitable rooms by the gross site area. The site covers an area of approximately 3 hectares.
- 10.64 In assessing this it is necessary to consider that the London Plan policy notes that it would not be appropriate to apply these limits mechanistically with local context and other considerations to be taken into account when considering the acceptability of a specific proposal.
- 10.65 The site has a public transport accessibility level (PTAL) within the range of 6a (Excellent) and 5 (Very Good). In terms of the character of the area, this would be defined as urban by the London Plan definition. The London Plan for areas of the PTAL rating identifies the suggested residential density range of 200-700hrh.
- 10.66 The proposed development has a residential density of 101.3 u/ha and 335.6 hr/ha, both of which are in accordance with the density range of the London Plan policy.

Accessibility

- 10.67 The development is required to achieve the standards of the Islington Inclusive Design SPD and provide 10% (by habitable room) of residential units as wheelchair accessible units.
- 10.68 The application provides 8 wheelchair accessible units (4 x 1 bed units, 2 x 2 beds and 1 x 3bed) amounting to 11.4% of new homes and 9.1% as measured by habitable rooms, which falls marginally below the 10% required by policy DM3.4. However, Block H, which provides homes for over 55s, is designed to the Housing

our Ageing Population Panel for Innovation (HAPPI) Report 2009 principles for housing elderly people. As such, Block H would be served by two accessible lifts and includes a mobility scooter store room, while all 23 units would be wheelchair accessible with accessible bathrooms and would have floor areas measuring 10% larger than minimum standards to allow for future adaptability. Furthermore, the wheelchair units provided are of varying scales and one unit is proposed as market housing. As such, the provision of 9.1% accessible units is considered to be acceptable in this case.

- 10.69 The applicant has detailed that all 70 units have also been designed to achieve the Council's Flexible Homes Standards (Condition 10). However, Block F, due to its layout would not provide any ground floor living accommodation, an accessible bathroom at ground floor level or be considered as adaptable. However, due to these buildings being set over four floors and their layout, which has been designed to provide overlooking of the two open spaces from the main living area, this is considered to be acceptable in this particular case.
- 10.70 With regard to the ground floor community centre, this would provide level access and an accessible W.C and would be in accordance with the Islington Inclusive Design SPD.
- 10.71 Although concern has been raised regarding the proposed shared surfaces, the design of these spaces would include differences in materials, colours and textures to differentiate between spaces, and is considered by officers to represent an efficient and effective use of valuable space.

Landscaping, Trees and Biodiversity

- 10.72 Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. The proposal includes extensive landscaping works across the entire estate and the alteration of the layout of Baxter Road.

Area 1:

- 10.73 At present the estate is accessed from multiple entrances off Dove Road with the north part of the site bound by a wall running around Balls Pond Road and Southgate Road, which together with extensive shrubbery in this location restrict the legibility of the estate.
- 10.74 The proposal would remove the wall described above, introduce a number of pathways into the estate from Balls Pond Road and Southgate Road, including a main estate entrance from the north west corner of the site, re-landscape the parking areas with shared space and introduce extensive soft landscaping. Front gardens would also be added to the northern side of Westcliff House.
- 10.75 The entrance to the estate would be formed by removing the area of shrubs from the north west corner of the site, retaining the trees and laying granite slabs. The granite slabs would then continue along a footpath leading past the main entrance to Threadgold House and onto Dove Road, replacing the existing pavement and extending to the west where it would adjoin the proposed 'green link' running through the centre of the estate. The proposed entrance would have an open design allowing

a clear view to Dove Road with the use of consistent materials clearly identifying the main pedestrian route through the estate.

- 10.76 It is noted that the Design Review Panel suggested that there was confusion concerning the primary route around Threadgold House and that an appropriate hierarchy of routes and spaces was needed with particular emphasis on the corner of Balls Pond Road and Southgate Road. It was also noted that landscape improvement works should extend to Dove Road.
- 10.77 This area has been revised to rationalise the pedestrian routes, providing a hierarchy and increasing the width of the 'green link' entrance from Balls Pond Road. The revised footpaths would provide routes into, out of and through this part of the estate from Balls Pond Road and Southgate Road, particularly from the bus stop. These would be constructed in different materials to the main route and would have a reduced width, identifying these as secondary routes. The shared space would soften the appearance of the hardstanding and promote pedestrian use.
- 10.78 This approach together with the improvement works to the base of Threadgold House and the introduction of active uses fronting onto the proposed shared space would greatly improve the permeability of this part of the estate.
- 10.79 The proposed soft landscaping works would maintain a green edge to the site, allowing views into and out of the estate whilst also defining the boundary. The raised planters to the south of Threadgold House would define the area serving the community rooms and provide a barrier to the highway when children are using the playspace.
- 10.80 The proposed soft landscaping works would maintain a green edge to the site, allowing views into and out of the estate whilst also defining the boundary. The raised planters to the south of Threadgold House would define the area serving the community rooms and provide a barrier to the highway when children are using the playspace.

Area 2:

- 10.81 This part of the estate consists of a fenced green space bound by Westcliff House which includes a disused sunken ball court and two fenced-in areas of hardstanding, a central pedestrian route running from Dove Road to Baxter Road and a car park area to the east of Ilford House.
- 10.82 The proposal would involve the remodelling of the central amenity area including the infilling of the sunken area of hardstanding, extensive soft landscaping, raised planters, interlinking pathways and central playspace. The central pedestrian footpath would be replaced with the proposed 'green link' a tree lined offset footpath running through the estate with a consistent design, a shared space would be created between Ilford House and Block D, and front gardens would be provided to the properties at Westcliff House and Ongar House.
- 10.83 Following concerns raised by the Design Review Panel regarding the number of intersecting routes and the resultant small scale of the green spaces, the scheme was revised to reduce the number of routes and enlarge the green spaces. The Design Review Panel considered that the revised scheme addressed their previous concerns.

- 10.84 The proposed amenity space would incorporate a number of defined areas bound by the intersecting footpaths with varied planting, ground levels, raised planters and playspace. The resultant areas would have defined purposes such as wildflower meadows, useable grassland, sunken seating and areas of trees which would all add to the visual amenity and biodiversity value of this space.
- 10.85 The 'green link' would continue the use of granite slabs from Area 1, running through the centre of the estate and although the slabs are offset there would be a clear sightline along the footpath leading to the revised Mitchison Baxter Open Space. Although the Design Review Panel questioned the over-laid paths running across the green link, these have been retained in the proposal to emphasise the routes across the amenity space and to link the amenity space to Ilford House. However, the 'green link' has been amended at this point to introduce a greater width where the over-laid paths intersect, helping to define the entrances to Ilford House and maintain the hierarchy of routes.
- 10.86 The Design Review Panel questioned whether the shared space together with Wall Street would act as a roundabout for vehicles. However, Wall Street has an asphalt surface whereas the shared space would have a more domestic appearance. The subsequent shared space and planting would act as a visual barrier to car users and would be in keeping with the wider landscaping proposals, whilst encouraging pedestrian use and discouraging vehicle movements.
- 10.87 The proposed landscaping works would improve the permeability and legibility of the estate, whilst the remodeled amenity space would represent an uplift in the useable estate open space and improvement to the visual amenity of the site.

Area 3:

- 10.88 This part of the estate is dominated by Mitchison and Baxter Open Space, which consists of a large extent of green open space with a sunken area at the western end and surrounding metal railings, a smaller area of green space intersected by a pathway at the eastern end and the sunken ball court at the south of the site. Baxter Road intersects the two green Open Spaces, running along the north side of the main Open Space before turning south to Warley House.
- 10.89 The proposal would amalgamate the two Open Spaces to form one central park incorporating a ball court (to the west). It would continue the 'green link' and revise the layout of Baxter Road to run along the north and east sides of the park. Additionally a shared space is proposed to the front of Block I, the walkway to the east of Greenhills Terrace would be landscaped and front gardens would be provided to Warley Court.
- 10.90 The resultant amalgamated area would provide a large, single and coherent extent of green open space that would be clearly defined and addressed by the surrounding existing and proposed buildings, in accordance with the guidance in the Islington Urban Design Guide (2006). The revised layout of Baxter Road would reinforce this, whilst its construction as a shared surface would ensure continuity with the other shared spaces across the estate and soften the edges of the amenity space to provide a more open and welcoming amenity area than the currently disjointed and fenced Open Space.
- 10.91 The proposed sunken location of the ball court, use of a green sound barrier and the amphitheatre design would ensure that the ball court would be in keeping with the wider landscaping works whilst not dominating views of the amenity space.

- 10.92 The resultant open space would be of a high design quality, incorporating formal and informal play spaces into the landscape and creating a destination within the estate that would add to the visual amenity and biodiversity value of this space. Furthermore, the continuation of the 'green link', use of a consistent material palette and the open design of the amenity space would increase the legibility and permeability of the estate.
- 10.93 At present access to a number of the properties at Greenhills Terrace is from a narrow footpath bound by front walls and high railings with overhanging shrubbery. The proposal would increase the width of the footpath and provide a planted area with seating and lighting. This would provide a more domestic setting to these properties, provide an outlook from Greenhills Terrace onto a landscaped area and allow more open views into this area from either end of the footpath.
- 10.94 The proposed gardens to Warley House would enhance the appearance of this property whilst the provision of shared space to the front of Block I would maintain the proposed character of the estate.

Conclusion:

- 10.95 The proposed landscaping works would introduce a number of well designed amenity spaces, a hierarchy of routes through the estate, extensive planting and the provision of front gardens. This, together with the use of a consistent and high quality material palette, appropriate management of green spaces, street furniture and a restrained lighting strategy would result in a high quality public realm, with defensible space to ground floor units and improving the permeability and legibility across the estate.
- 10.96 Conditions are attached with regard to the submission of material samples and a scheme of management for the landscape works prior to commencement to ensure that development of an appropriate high quality would be delivered and maintained.

Trees:

- 10.97 Dover Court Estate has a large number of trees throughout the site with a number of these located in dense groups. The application proposes the removal of 21 individual trees, the complete removal of a group of trees to the south of the site and the removal of specified trees within two other groups. The total number of trees, including those within groupings proposed to be removed is 38 across the site. The table below details the quality of the trees proposed to be removed, expressing this through their British Standard grading, with A being the highest standard (trees of high amenity quality and with potential to improve) and U being the lowest (defined as not being a constraint to development):

British Standard Category	Tress lost / Percentage
A	0 / 0%
B	13 / 34.2%
C	22 / 57.9%
U	3 / 7.9%

- 10.98 The majority of the trees to be removed are categorised as class C or below (over 65%). However, there are a number of higher quality trees which are proposed to be removed, notably a mature tree on Wall Street (T41).
- 10.99 Notwithstanding this, the application proposes the planting of 102 trees including 13 existing trees, not included within the tree removal figures, which are to be relocated on site, which represents a re-provision of 2.5 trees planted per tree lost. The proposed tree planting would provide at least equal if not a higher canopy cover than the trees lost over a 10 year period and as set out above these form part of a wider high quality landscaping proposal that would be of a high amenity value, in accordance with policy DM6.5. Due to this and the provision of high quality affordable housing there are over-riding planning benefits which mitigate the loss of the trees at the site.
- 10.100 It is noted that specific concern has been raised regarding the removal of trees within Balls Pond Road Open Space to the north of the site and a group of trees to the south of the existing ball court. Although five trees would be removed along Balls Pond Road, this area is part of the wider landscape improvement works across the estate and includes the re-provision of trees. These works ensure that this Open Space would maintain a high level and quality of planting.
- 10.101 The proposed trees to be removed to the south of the ball court form a dense row of Leyland Cypress which are considered to constitute a hedge when in such a grouping and cannot therefore be protected by either a Tree Preservation Order or Conservation Area. While these trees, if retained, would provide some screening of block H from the properties fronting Ockenden Road, the trees have little biodiversity value, raise maintenance issues and would be likely to result in extensive overshadowing to block H. The proposal includes the retention of two mature trees and the provision of eight new trees across the rear boundary of Block H to address objections received.
- 10.102 To ensure the protection of the trees to be retained at the site and secure a high quality landscape scheme is implemented conditions are recommended which require the submission of and compliance with an agreed Landscape Management Plan (condition 20), an Arboricultural Method Statement (condition 22) and a Scheme of Site Supervision (condition 23).

Biodiversity:

- 10.103 The existing vegetation at the site is of low quality, with the exception of meadow grassland within the Mitchison Baxter Road SINC. The submitted Ecology Appraisal concludes that the proposed landscaping scheme would increase the habitat area (of SINC quality) by 1466 square metres. Furthermore, the proposal includes the re-provision of meadow grassland, wide scale planting, retention ponds and swales as part of an extensive Sustainable Urban Drainage System.
- 10.104 The Council's Biodiversity and Nature Conservation Officer has stated that the proposal, if implemented as detailed, would ensure that a larger site of equivalent or greater biodiversity value would be provided. Subject to appropriate conditions the proposal would improve the biodiversity value of the estate and therefore the loss of designated SINC is acceptable in this instance due to overriding planning benefits. To protect the biodiversity and ecological value of the site a condition is recommended (condition 24) requiring the submission and approval in writing of an Ecology Protection Site Pack. Whilst not mitigation SINC impacts, green roofs are also proposed with drainage and biodiversity value.

10.105 It is noted that concern has been raised regarding the lighting strategy impacting upon bat foraging. A condition is recommended requiring lighting details to be submitted and approved in writing to minimise this impact (condition 30). Furthermore, bird and bat boxes would also be conditioned (condition 31).

Neighbouring Amenity

10.106 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

10.107 Overlooking/Privacy: policy identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.

10.108 An assessment of overlooking and overbearing is set out for each of the proposed blocks below:

10.109 Block A: would have no windows which face towards Queen Elizabeth Court and a condition would be added requiring a balcony screen to the southern end of the third floor roof terrace (condition 7). Views to the north would be across Balls Pond Road.

10.110 The semi-detached pair would be of a small scale, with a reduced roof height to the rear and a break between roofs reducing their mass. Whilst the proposed flatted block would introduce a three storey building with set back fourth floor, this would be set against the three storey height of the adjoining building and a large single storey brick projection to the rear of the site. As such, it would be viewed in the context of existing built form from Balls Pond Road and would maintain a significant gap from the rear windows serving the upper floors of Queen Elizabeth Court. As such, Block A would not be overbearing to the neighbouring occupiers.

10.111 Block B: would have an outlook to the front over the shared space around Threadgold House and would not result in overlooking to this building. Although the rear windows would be located within 18 metres of the windows at Queen Elizabeth Court, these would be minimal in scale, serving staircases and bathrooms and a condition is recommended requiring these windows to be obscurely glazed (condition 7).

10.112 It is noted that concern has been raised regarding the proximity of this block to Queen Elizabeth Court. However, Block B would have a modest two storey height, replacing a single storey row of garages in a closer location, whilst maintaining a constant 3.5 metre deep separation from the boundary with this property and a minimum distance of 9.5 from the flank elevation of this building. As such, the proposed block would not be overbearing to the neighbouring occupiers.

10.113 Block C: would have a single ground floor unit with an outlook to the front and rear which would overlook private garden space.

- 10.114 The works to base of Threadgold House would reduce the amount of built form around this block, with the adjoining row of garages demolished. Furthermore the proposed projecting entrances would be small in scale and light weight in design, therefore not being overbearing to neighbouring occupiers.
- 10.115 Block D: The rear windows serving the terraced row would be located over 18 metres from Ilford House. Although the north of the block (unit D1) would be located within 18 metres of No. 217 Southgate Road, this property has no ground floor windows, with one of the first floor windows being obscurely glazed and the first floor window which would face towards this property serves a bathroom. However, the proposed second floor corner bay window would provide views back into this neighbouring property and as such, a condition is recommended requiring the east side of this window to be obscurely glazed (condition 7).
- 10.116 At the southern end of the terrace, unit D5 would have first and second floor windows within 18 metres of No. 56 Wall Street, however these would be set at an oblique angle to the corresponding window and would not result in any unacceptable overlooking.
- 10.117 Both flank elevations of the semi-detached pair would incorporate windows within 18 metres of Ilford House and 50-56 Wall Street. However, these windows would either serve bathrooms or constitute secondary windows; therefore a condition is recommended requiring these windows to be obscurely glazed (condition 7). To the south these properties would be set over 24 metres from Ongar House.
- 10.118 The proposed blocks (D) would be set 18 metres back from Ilford House and on the opposite side of Wall Street from the properties to the east. The repeated breaks at second floor level, two storey height of the semi-detached pair and comparative height of the block to the properties along Southgate Road would ensure that this the block would not be overbearing.
- 10.119 Block E: The windows in the east elevation of this block would be located 18 metres from the upper floor windows of the properties that front Southgate Road. However, the upper floor windows in the proposed block would be located within 18 metres of the ground and lower ground floor windows of these neighbouring properties. These views would be restricted by existing trees protected by a conservation area designation and a condition is recommended requiring the first and second floor windows in the east elevation to be obscurely glazed up to the halfway point of the windows (condition 7).
- 10.120 The provision of a balcony screen to the eastern end of the first, second and third floor balconies at the southern end of this block would be required by condition to ensure no overlooking.
- 10.121 Block E would be set within 18 metres of the properties to the east but would have a garden area separating the block from the rear gardens of these properties and it would be set below the height of Ongar House. As such, it would not be overbearing to the neighbouring occupiers.
- 10.122 Block F: would face towards the flank elevation of Ilford House but would be separated by the landscaped area and pedestrian walkway (a distance of 16.6 metres). To the rear this block would face over Mitchison Baxter Open Space.
- 10.123 The two properties would continue the established building line and scale of Ongar House to the west, whilst maintaining a gap to Westcliff House which contains no

flank windows and to Ilford House. It would not be overbearing to neighbouring occupiers.

- 10.124 Block G: would be located at least 18 metres from the rear windows of the properties along Southgate Road with the exception of No. 175, which has a deep single storey rear outrigger. However, this outrigger appears to have limited rear openings and the proposal would not result in any undue overlooking.
- 10.125 This block would replace the existing two storey Romford House and whilst of a greater height than the existing block (being three storeys), it would have a similar footprint. This location would maintain a significant gap to the properties to the east and the three storey height of the block would be in keeping with the character of both the existing estate and the properties along Southgate Road. As such, the proposed block would not be overbearing to neighbouring occupiers.
- 10.126 Block H: Block H would be located over 18 metres from any neighbouring windows.
- 10.127 Although Block H would introduce a four storey building to this part of the site, it would be set down from the six storey height of Warley House immediately to the east and set away from the western boundary. By reason of this, its location away from the properties to the south and as it would be partially sunken below pavement level, it would not be overbearing to the neighbouring occupiers.
- 10.128 Block I: would have no rear facing windows and the majority of the first floor south facing windows would be located over 18 metres from the nearest residential window. Although unit I5 would be located within 18 metres of a rear window at 7 Ockendon Road, this window is detailed to be obscurely glazed and a condition would secure this.
- 10.129 The proposed mews style properties would be of a small scale (part 1 and part 2 storeys) and set an appropriate distance from the residential properties to the north and south. Additionally the repeated breaks at first floor level and reducing roof height where the properties meet the gardens of Warley House would reduce the bulk of these units and ensure they would not be overbearing.
- 10.130 Daylight and Sunlight The application has been submitted with a sunlight and daylight assessment. The assessment is carried out with reference to the 2011 Building Research Establishment (BRE) guidelines which are accepted as the relevant guidance. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 10.131 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight);

And

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

10.132 It should be noted that whilst the BRE guidelines suggest a 20% reduction in NSL would represent an unacceptable loss of daylight, it is commonly held that losses in excess of 50% NSL are not acceptable and should be avoided even in dense urban areas unless where this is unavoidable within an appropriate townscape response.

10.133 Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period.

In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.

10.134 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Sunlight and Daylight Losses for Affected Properties Analysis

10.135 Residential dwellings within the following properties have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development:

- 158 - 164 (even) Balls Pond Road;
- Queen Elizabeth Court;
- Ilford House; (No failures)
- 50 – 56 Wall Street;
- 173 – 199 (odd) Southgate Road;
- 19 – 35 (odd) Ockendon Road; and
- Westcliff House (No failures)

10.136 The proposal would reduce the amount of sunlight provision to a number of surrounding property windows but these reductions in sunlight would be within BRE Guidance testing parameters. As such, no windows would result in a noticeable reduction in sunlight receipt.

10.137 It is noted that a representation has been received regarding the assessment of a property on Southgate Road. However, the rear windows in the relevant properties are not within 90 degrees of due south and therefore do not warrant assessment for impacts upon sunlight.

10.138 158 – 164 (even) Balls Pond Road: is a terraced row of three storey dwellings on the opposite side of Balls Pond Road from the site. The BRE assessment demonstrates that all of the windows would maintain good levels of VSC but three rooms would have a reduction of Daylight Distribution (DD) in excess of 20% at No. 164, 162 and 160.

- 10.139 The affected rooms would have a DD reduction of between 20% - 30%, which is considered to be a lesser/minor infringement. These rooms currently benefit from a significant amount of uninterrupted sky above the application site due to the area of open space at the northern edge of the estate, which is relatively untypical in an urban setting. It should also be noted that this open area was historically occupied by a terraced row and would have had a similar relationship to the affected properties as the proposal.
- 10.140 Queen Elizabeth Court: is a four storey residential building providing sheltered accommodation for the elderly. The BRE assessment demonstrates that four windows/rooms would fail the BRE test. Three windows which fail the VSC test serve circulation space and store room, and therefore did not require testing in the first place, being non-habitable.
- 10.141 Although a north facing bedroom window is detailed to have a reduction in VSC of 27.86%, it would retain a VSC level 24.9% and have sufficient DD. The reduction to this window is a lesser/minor infringement and the retained levels of VSC are considered to within acceptable levels for an urban location.
- 10.142 50 – 56 Wall Street: consists of a two storey detached house and a two storey residential block containing four flats. A ground floor window and door would fail the VSC test within 56 Wall Street. However, these windows are set within a ground floor building recess, resulting in these windows currently receiving minimal daylight (0.09 and 0.57) such that while the percentage change to these windows appears high, the actual loss of light would be negligible, due to the design of the existing building obstructing daylight receipt.
- 10.143 173 – 199 (odd) Southgate Road: is a row of three storey over basement terraced properties with deep rear gardens. The BRE assessment demonstrates that all windows would maintain good VSC levels but 10 rooms would have a reduction of DD over 20%.
- 10.144 Three of the affected rooms are bathrooms and therefore did not require testing, being non-habitable. A further four affected rooms would have a DD reduction of between 20% - 30%, which is considered to be a lesser/minor infringement.
- 10.145 Two rooms at 197 and 183 Southgate Road would have reductions marginally above this, measuring 33.9% and 33.1% but would maintain good levels of VSC. Whilst a bedroom at 199 Southgate Road would have a reduction in DD of 40.7%, the BRE guidance states that DD is less important to bedrooms and again it would maintain adequate VSC levels.
- 10.146 19 – 35 (odd) Ockendon Road: is a row of three storey terraced dwellings with rear gardens backing onto the Mitchison Road ball court. Seven lower ground floor windows in the rear elevations of 21, 23, 29 and 31 Ockendon Road would fail the VSC test. Notwithstanding this, these windows only marginally fall below the guidelines with reductions of between 20.66% and 23.7% meaning that although the loss of daylight would be noticeable, it would be minimal and within acceptable tolerances.
- 10.147 With regard to Daylight Distribution (DD), the submitted NSL analysis, which is based on assumed room layouts, details that 11 lower ground floor rooms at 21, 23, 29, 31 and 33 Ockendon Road would receive losses greater than 20% of their former levels of DD. Four of the affected rooms are detailed to be bedrooms, which are considered to be less important when assessing DD by the BRE Guidelines. The BRE

Guidelines also state that the guidance on NSL testing should be applied sensibly and flexibly; rooms with a single aspect and of a greater depth than 5 metres (which is likely to apply to some of the affected rooms) are likely to have a greater movement in NSL which is unavoidable. It should be noted that the room layouts are all assumed, so caution should also be given to the reported results of DD as existing and as retained after development.

- 10.148 However, it should be noted that for the purposes of BRE testing these properties face onto an open site with a significant amount of uninterrupted sky above, which is relatively untypical in an urban setting. Therefore the existing daylight values can be considered as disproportionately high and any proposed significant built form within the context of building heights across the Dover Court Estate, such as Block H, would adversely impact upon DD at these properties. Accordingly, while the percentage reduction in DD is significant, particularly where DD would be reduced by more than 50%, the rooms affected would maintain a good level of DD.
- 10.149 In addition to this and as set out above, the windows serving the affected rooms would either maintain an acceptable level of VSC or where there is a reduction of more than 20% from existing VSC levels, the windows maintain a good level of VSC (i.e. being close to the 27% target value at which point no testing is required).
- 10.150 It should be noted that the BRE Guidelines detail that where the effect of a new building on existing buildings is being analysed it is usual to ignore the effect of existing trees. However, in addition to the above factors, it should be taken into consideration that at the end of the rear gardens serving 23-29 Ockenden Road there is a dense row of Leyland Cypress (evergreen) trees with heights up to 14 metres. Furthermore, in the rear garden of No. 21 is a 14 metre high sycamore (deciduous) tree and within the rear garden of No. 31 is a 9 metre high sycamore (deciduous) tree. While the deciduous trees shed their leaves in winter when daylight is at its scarcest, the evergreen trees, due to their proximity to the affected properties, the number of trees and their dense vegetation, undoubtedly impact upon the level of daylight actually received all year round at these properties. Block H would have a similar height to the existing trees (just below 14 metres) and would be located further from these properties. It is therefore expected that Block H would have no greater impact on actual daylight received than the existing vegetation and this is a material consideration.
- 10.151 It is asserted in the additional information to the daylight/sunlight assessment that by modelling a continuation of the Mitchison Road terraced properties or a 'mirror-image' of the Ockenden Road properties to provide a contextual comparison of urban grain, the DD losses would be within 20%.
- 10.152 Taking into account the points set out above it is considered that the impact upon these properties can be accepted.
- 10.153 Overshadowing The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an amenity space should receive at least 2 hours of sunlight on 21st March.
- 10.154 The submitted Daylight/Sunlight Assessment details that on 21st March the rear gardens serving Warley House would receive 2 hours of sunlight to less than half of the amenity space. However, these gardens are south facing and would continue to receive a good level of sunlight, which together with the introduction of front gardens to these properties and the increase in high quality amenity space in close proximity this is considered to be acceptable in this particular case.

- 10.155 Ball Court: A number of representations and a petition have been received regarding the proposed relocation of the ball court to Mitchison Baxter Road open space. The concerns raised mainly relate to potential disturbance from its use, floodlights and anti-social behaviour.
- 10.156 The proposed ball court would replace the existing larger ball court located approximately 15 metres to the south of the proposed location and would be incorporated within an existing amenity area. It would be set within a sunken area to the west of the amalgamated amenity space with a 3.5 metre high green acoustic wall running along the western end and planting beyond this.
- 10.157 The proposed ball court is detailed to be available for use between the hours of 0800 hours to 2100 hours with the floodlights being in operation from dusk to 2100 hours. The submitted Maintenance Strategy for the Ball Court details that the Council's Greenspace South Area Parks Manager would be responsible for the day to day management of the park and act as a point of contact for any complaints or reports of anti-social behaviour.
- 10.158 Whilst the ball court would undoubtedly result in some noise disturbance, this would be limited to the proposed hours of use and it should be noted that the ball court replaces an existing facility in close proximity and amenity space which is currently available for use by the public. Conditions are recommended requiring a Noise Management Plan (condition 25) and details of the proposed floodlighting (condition 30) to be submitted and approved in writing, whilst a condition restricting the hours of use of the floodlights and how these are controlled is also recommended (condition 29).
- 10.159 These conditions together with its sunken location, green acoustic wall, planting and the efficient management of the space would ensure that disturbance from the proposed ball court would be minimised to an appropriate level.

Quality of Resulting Residential Accommodation

- 10.160 Islington Core Strategy policy CS12 identifies that to help achieve a good quality of life, the residential space and design standards will be significantly increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards.
- 10.161 Unit Sizes: All of the proposed residential units comply with the minimum unit sizes as expressed within this policy.
- 10.162 Aspect/Daylight Provision: Policy DM3.4 part D sets out that 'new residential units are required to provide dual aspect accommodation, unless exceptional circumstances can be demonstrated'.
- 10.163 With the exception of the ground floor unit within Block A, all of the proposed units would have a dual aspect. Although technically single aspect, this unit would have a large window opening onto a private garden which wraps around the east and part of the south elevation. Furthermore, the unit would have a very large floor area, 70 square metres, for a one bedroom unit, and this is considered to provide sufficient mitigation in this instance.
- 10.164 Amenity Space: Policy DM3.5 of the Development Management Policies Document 2013 within part A identifies that 'all new residential development will be required to provide good quality private outdoor space in the form of gardens, balconies, roof

terraces and/or glazed ventilated winter gardens'. The policy in part C then goes on to state that the minimum requirement for private outdoor space is 5 square metres on upper floors and 15 square metres on ground floor for 1-2 person dwellings. For each additional occupant, an extra 1 square metre is required on upper floors and 5 square metres on ground floor level with a minimum of 30 square metres for family housing (defined as 3 bed units and above).

- 10.165 All of the proposed units are provided with private amenity space in various forms and the proposal includes an uplift in the quantity and quality of publicly available amenity space across the estate. Notwithstanding this, five dwellings at Block I would provide 9 square metres where the above policy requires 25 square metres of ground floor amenity area.
- 10.166 However, the amenity space provided would be defensible, private and would be in accordance with minimum amenity space requires were it at upper floor level. Furthermore, these units are all two bedroom market housing and the ability to provide balconies/roof terraces to these units is severely limited by amenity and design concerns. By reason of this and the proximity of the affected units to the proposed publicly accessible amenity space, the shortfall in private amenity space provision is considered to be acceptable in this case.
- 10.167 Overlooking/Privacy: The layout of residential units and window placement effectively ensures that there would not be undue overlooking between proposed residential units.
- 10.168 Air Quality: The properties in Block A would front onto Balls Pond Road where air quality is poor. A condition is recommended requiring a scheme of ventilation to mitigate the air quality.
- 10.169 Noise: A condition is recommended requiring all residential units to include sufficient sound insulation to meet British Standards.
- 10.170 Refuse: Dedicated refuse and recycling facilities/chambers are provided for the residential uses. The location and capacity, and management of these facilities have been developed in consultation with the Council Street Environment Department and are acceptable.
- 10.171 Playspace: The Council also protects existing play spaces across the borough by resisting their loss unless a replacement facility of equivalent size (taking into account additional population resulting from development) and functionality is provided to meet the needs of the local population. Sport and recreational facilities are also strongly protected by policy.
- 10.172 At present the site provides a poor level of play space with a number of redundant hard play areas, an unused sunken ball court and Mitchison Road ball court, which appears to be the only regularly used facility. In addition the open space provides some informal play space. The existing and propose child yield at the site would require the provision of 1633 square metres of private/informal play space.
- 10.173 The proposal would provide a total of 4724 square metres of dedicated play space spread across each of the three areas of the site including incidental and formal play areas, while the Mitchison Road ball court would be reprovided and relocated with an improved facility. Indicative plans detail the provision of infant play apparatus, a play structure/sculpture, rubber steps, tree trunks, a playable slope walls, climbing walls, a play sand pit and a large play structure.

- 10.174 The applicant has submitted a Playspace Management and Maintenance Plan which details that the Council's Greenspace Services would be responsible for the maintenance and management of the play space.
- 10.175 Appropriate conditions are recommended that would ensure that the maintenance and management of the playspace is carried out in accordance with these details and the submission of details of the playspace prior to the commencement of development (condition 20 and 21).
- 10.176 Ball Court: It is noted that representations have been received questioning the location of the ball court within the Mitchison Baxter Road open space. However, the redeveloped Mitchison Baxter Road open space would form a central open space within the estate and is considered to represent the most appropriate location for the facility. The other concerns relating to the ball court are addressed in the 'Neighbour Amenity' section below.

Dwelling Mix

- 10.177 The scheme proposes a total of 70 residential units with an overall mix comprised of:

Dwelling Type	Social Rent (No. units / % HR)	Policy DM3.1 Target Mix	Private (No. units / % HR)	Policy DM3.1 Target Mix
One Bedroom	25 / 30.9%	0%	4 / 11.6%	10%
Two Bedroom	8 / 14.8%	20%	14 / 82.6%	75%
Three Bedroom	16/ 45.7%	30%	1 / 5.8%	15%
Five Bedroom	2 / 8.6%	50%	0 / 0%	0%
TOTAL	51		19	

- 10.178 Part E of policy CS12 of the Islington Core Strategy requires a range of unit sizes within each housing proposal to meet the needs in the borough, including maximising the proportion of family accommodation in both affordable and market housing. In the consideration of housing mix, regard has to be given to the constraints and locality of the site and the characteristics of the development as identified in policy DM3.1 of the Development Management Policies.
- 10.179 The social rent dwelling mix, when compared to the target social rent dwelling mix departs in as much as an over provision of 1 bedroom and 3 bedroom units and an under provision of 2 and 4+ bedroom units.
- 10.180 The supporting text of policy DM3.1 within Development Management Policies relates to this objective stating 'There may be proposals for affordable housing schemes that are being developed to address short term changes in need/demand as a result of specific interventions (for example, efforts to reduce under-occupation).

In these situations deviation from the required policy housing size mix may be acceptable. In such cases registered providers will need to satisfy the council that the proposed housing size mix will address a specific affordable housing need/demand and result in an overall improvement in the utilisation of affordable housing units in Islington’.

- 10.181 Recent changes in housing legislation to address the under occupation of social housing have created a greater demand for smaller social housing units, as reflected by the high proportion of 1 bedroom units proposed. The applicant, LBI Housing proposes this dwelling mix to allow mobility within the social housing sector to accommodate these national changes to the welfare system. Furthermore, the provision of smaller units will allow for mobility within the estate which would address under occupation.
- 10.182 In addition to this the proposal includes the demolition of Romford House and its replacement with an over 55s block (Block H) of 23 self-contained social rent units (C3 Use Class). Romford House is currently comprised of 18 units with 13 of these occupied by over 55s. The Council’s Housing Strategy and Regeneration department have detailed that based on data from 2012 the average age of residents on the estate is over 55 and the existing residents of Romford House and over 55 year olds across the estate have expressed an interest in moving into Block H. The provision of accommodation for over 55’s as self-contained residential units would therefore address an identified and quantified need on the estate and free up two and three bedroom units across the estate.

Affordable Housing and Financial Viability

- 10.183 The London Plan, under policy 3.11 identifies that boroughs within their LDF preparation should set an overall target for the amount of affordable housing provision needed over the plan period in their area and separate targets for social rented and intermediate housing and reflect the strategic priority accorded to the provision of affordable family housing. Point f) of this policy identifies that in setting affordable housing targets, the borough should take account of “*the viability of future development taking into account future resources as far as possible.*”
- 10.184 Policy CS12 of the Islington Core Strategy sets out the policy approach to affordable housing. Policy CS12G establishes that “*50% of additional housing to be built in the borough over the plan period should be affordable and that provision of affordable housing will be sought through sources such as 100% affordable housing scheme by Registered Social Landlords and building affordable housing on Council own land.*” With an understanding of the financial matters that in part underpin development, the policy states that the Council will seek the “*maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. It is expected that many sites will deliver **at least** 50% of units as affordable subject to a financial viability assessment the availability of public subsidy and individual circumstances on the site.*”
- 10.185 Policy CS12 confirms that an affordable housing tenure split of 70% social rent housing and 30% intermediate housing should be provided.
- 10.186 The Affordable Housing Offer The proposed development would provide a total of 70 residential units (both for private sale and affordable housing). Of the 70 units (230 habitable rooms, hr), 51 of these units (162 hr) would comprise affordable housing (social rent tenure). Affordable housing provision is typically calculated with reference to the number of habitable rooms provided and in this instance the scheme

would provide 70% affordable housing. The scheme provides 72.85% affordable housing if measured by units however habitable rooms is considered a more accurate measurement of the division of a residential development between different tenures on account of the typical requirement for larger units in the social rent tenure.

- 10.187 Within the affordable housing provision there is a policy requirement for 70% of the provision to be social rent and 30% as intermediate/shared ownership. Although the proposal does not include any intermediate housing a higher percentage provision of social rent tenure is not considered to be of concern given the identified housing needs for this type of accommodation and the emphasis of the policy for the provision of social rented housing. The Council will have 100% nomination rights in perpetuity on the proposed Social Rented units and will be let through the local lettings policy.
- 10.188 The affordable housing offer on this site in terms of the quantity, quality and mix is considered to make a positive contribution to the housing needs of the borough.
- 10.189 The proposal fails to provide 100% affordable housing as sought by policy CS12 for developments on Council's own land. The proposed mix includes private housing to financially support the delivery of the affordable housing element, the estate wide public realm improvement works, works to the base of Threadgold House and the provision of the community rooms. Notwithstanding this cross subsidy role, it is the applicant's contention that the scheme would still be unviable were it not for the use of public funds to support the affordable housing delivery.
- 10.190 In accordance with policy requirements, a financial assessment has been submitted with the application to justify the proportion of affordable housing offered. In order to properly and thoroughly assess the financial viability assessment, the documents were passed to an independent assessor to scrutinise and review.
- 10.191 The applicant's Viability Assessment identified that the development as proposed is unviable in a purely commercial sense as it still requires an amount of public subsidy to address the shortfall between the revenues generated by the development and the costs of providing it. The independent assessor has considered the information submitted and has agreed that the scheme would be unviable without such a subsidy. This is attached as a redacted version of the Council's independent advisor's report at Appendix 4.
- 10.192 In conclusion it is apparent that in a typical commercial sense, the proposed scheme and level of affordable housing is unviable. However the applicant LBI Housing is not a commercial developer and in line with Council corporate objectives, is primarily seeking to deliver housing, public realm improvements and a community centre to meet identified needs.
- 10.193 In terms of the policy situation, when reading the full breadth of policy CS12, it is clear that viability is a consideration in assessing and establishing the affordable housing provision on a development. In addition it is apparent that 100% affordable housing schemes will be sought from development on Council land. However, it is not considered that a failure to provide 100% affordable housing on Council owned land is contrary to that policy where it is shown that considerable public subsidy is required to support the lower provision as detailed above.
- 10.194 It is not considered that it would be reasonable to require in planning terms an additional amount of public subsidy/grant funding to be committed to the scheme to provide a 100% affordable scheme. Considerable weight needs to also be given to

the 70% offer put forward which will make a significant contribution towards CS12 policy requirement for 50% of new housing built over the plan period (2011-2017) to be affordable. It would be a matter for the Council to consider what level of public subsidy they wish or can commit to the scheme taking into consideration the wider delivery of affordable housing within the borough. This provision is secured with a Directors Level Agreement.

Sustainability

- 10.195 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.
- 10.196 Blocks B, C, D, E, F, G and H would all achieve Code for Sustainable Homes (CfSH) level 4 (residential) in line with policy. However, Blocks A and I would both only achieve CfSH level 3.
- 10.197 These units fall short of CfSH level 4 due to the buildings in question not having suitable roof area for solar photovoltaic panels which therefore means they do not achieve their CO₂/energy reduction credits. The applicant has explored other renewable energy systems that could be installed and these have all been found to not be suitable for these units. For this reason Code level 3 is the highest feasible level achievable for these units. However, the submitted Energy Strategy proposes the installation of solar photovoltaic panels on existing blocks at the site to offset this shortfall and this has been accepted by the Council's Energy Conservation Officer. An indicative plan of the location of these panels forms part of the submitted Energy Strategy, but full details of the location, number, appearance and type of solar photovoltaic panels is required to be submitted by condition (condition 14).
- 10.198 London Plan policies 5.10 and 5.11, Islington Core Strategy Policy CS10 and Islington Development Management Policies policy DM6.5 promote urban greening and enhancing biodiversity. The London Plan 2011 policy 5.13 considers development should utilise Sustainable Urban Drainage Systems (SUDS) unless practical reasons prevent this, and should aim for Greenfield runoff rates.
- 10.199 The proposal would significantly increase the amount of open space for run-off across the site and would include swales, rain gardens, open channels, permeable surfaces and green roofs. The resultant SUDS at the site would achieve a Greenfield run-off rate and is therefore acceptable and commended by the Sustainability Officer and is secured by condition 18.
- 10.200 Conditions are recommended to ensure the water use target is met (condition 15), while green roof provision and bird and bat boxes have been addressed in the biodiversity section and are also secured by (condition 16 and 31).

Energy Efficiency and Renewable Energy

- 10.201 All development is required to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation (CS10). Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 30% relative to total emissions from a building which complies with Building Regulations 2010 (40% where connection to a Decentralised Heating Network is possible). Typically all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10).

- 10.202 Policy DM7.3 of the Development Management Policies document identifies in part D that major development should connect to a Shared Heating Network linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. The site is not located within an area served by an existing or planned district heating network and outside the boundary of any opportunity areas to connect to a wider network. It has been accepted that this is not a feasible option in the short term during the construction of the development. In such cases, policy 5.6 of the London Plan and Islington's Environmental Design SPD set out that a site wide CHP should be provided, or where not feasible then a communal heating (and cooling where relevant) system should be installed.
- 10.203 The applicant has concluded, in discussion with the Islington District Energy Team that due to the spread of the blocks within the site and the low occupancy of the blocks that a CHP system is not feasible. As such, the new blocks would be served by individual heating systems. However, Block H, as the largest proposed block would incorporate a combined heating system (condition 19).
- 10.204 The scheme achieves a projected 40% reduction in total CO2 emissions versus an equivalent 2010 part L building regulations compliant scheme, which is policy compliant. The remaining CO2 would be off-set down to zero by a contribution secured in the Directors' Agreement.
- 10.205 A draft Green Performance Plan (GPP) has been submitted and is considered to be acceptable. A final GPP is required as part of the Directors' Agreement.
- 10.206 The Energy Officer has considered the overall strategy and is largely satisfied with the approach.

Highways and Transportation

- 10.207 The site has a Public Transport Accessibility Level (PTAL) within the range of 6a (Excellent) and 5 (Very Good). The site is located in close vicinity to Canonbury, Dalston Junction and Dalston Kingsland Railway Stations, 1.3 kilometres from Highbury and Islington Railway Station and the site benefits from excellent bus links.
- 10.208 Public Transport Implications: The development would give rise to additional demands on transport infrastructure in terms of the introduction of residential occupiers and their visitors relative to the existing situation. However, due to the high PTAL level of the site, the proposal would not detrimentally impact upon the surrounding transport infrastructure. A Travel Plan is secured in the Directors' Agreement.
- 10.209 Changes to Road Layout: The proposal would involve the stopping up of the adopted highway on Baxter Road, its relocation and its designation as an estate road. The stopping up of the adopted highway is not objected to by the Highways Officer and the revised layout of the road, as set out in the 'Landscape' section above would better relate to the open space and would provide access to parking spaces and for servicing vehicles. These changes are secured in the Directors' Agreement.
- 10.210 Vehicle Parking: The estate currently has 165 garaged and on-street parking spaces and the submitted Parking Survey details that 46 of these spaces are in use. The proposal would result in the overall loss of 98 spaces, re-providing the 46 spaces currently in use (including existing accessible parking spaces) with 7 additional accessible parking spaces serving the wheelchair accessible units and 14 new parking spaces. This would significantly reduce the number of car parking spaces

across the estate whilst providing a sufficient level of parking for the existing residents and the accessible units. The table below details the type of spaces proposed to be lost and those reprovided:

	Existing Spaces / (In use)	Proposal	Difference
Garaged	83 (14)	0	- 83
Estate Parking	82 (32)	67	- 15
On-Street Highways Parking	25	17	- 8
Total Parking Spaces	180	84	- 96

- 10.211 In addition to the estate parking spaces the proposal would also reprovide a number of parking spaces, but would result in the overall loss of 8 on-street (Highways) parking spaces, which is objected to by the Highways Officer. However, the provision of 8 on-street highway parking spaces is secured by the Directors' Agreement and would involve the formal adoption of an area of estate road as a highway. The location of these spaces is subject to on-going discussions between the applicant and the Highways Team to ensure the spaces are reprovided in an appropriate location, with no net loss ensuring nearby non-estate residents would not experience loss of existing spaces.
- 10.212 Residential occupiers would not be eligible to attain on-street car parking permits for the surrounding Controlled Parking Zone (CPZ) in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure. The exceptions to this would be where, in accordance with Council parking policy, future persons occupying the residential development are living in residential properties within Islington prior to moving into the development and have previously held a permit for a period of 12 months consecutive to the date of occupation of the new unit. In this case, in the interests of reasonableness and not to deter movement within the borough of existing residents they will be able to transfer and attain a permit.
- 10.213 Residents who are 'blue badge' (disabled parking permit) will also be able to park in the CPZ.
- 10.214 These two exceptions may result in limited vehicular parking on surrounding roads, however by virtue of the Council's policy and the reprovision of the 8 on-street Highway spaces that are secured in the Directors' Agreement this is not considered to be harmful.
- 10.215 Road Safety: The application includes large areas of shared surfaces where pedestrians, cyclists and vehicles have equal priority. It is noted that the routes around Threadgold House and Ilford House, due to their narrow width, would not provide separation between vehicular routes and pedestrian/cycle routes. However, these areas, due to their narrow width, their location off main routes, the use of markedly different materials and demarcations within the surface materials; that vehicles entering these areas would be reducing speed to park and that the minimal

number of parking bays accessed off these shared surface would result in a low number of vehicle movements. It is considered that the shared spaces would provide a safe shared surface for all users, maximising the efficient layout of the estate

- 10.216 Delivery and Servicing Arrangements: A condition is attached (condition 32) to the officer recommendation requiring details of servicing arrangements for the residential uses on the site to be submitted prior to the commencement of those uses.
- 10.217 Cycle Parking: The proposal would provide 134 cycle parking spaces in accordance with the requirements of Appendix 6 of the Development Management Policies 2013. These would be located conveniently across the site, including 2 accessible spaces and two sets of publicly available cycle stands, while the ground floor units with rear gardens would also have the opportunity to store bicycles within these. The type and design of the external bicycle stores is required by condition to be submitted to and approved in writing (condition 36).
- 10.218 The proposed community room would not be staffed and therefore there are not dedicated cycle spaces. However, there are publicly available cycle parking spaces across the site.
- 10.219 Waste/Refuse: The proposal includes the provision of refuse stores located within residential cores, bin stores within front gardens and a free standing bin store on Dove Road. The Council Street Environment Service has been consulted on the proposal and are satisfied that the refuse storage would be acceptable. A condition (Condition 35) is attached which requires details of the external bin stores to be submitted to and approved in writing by the Local Planning Authority and the facilities to be provided prior to first occupation of the development.
- 10.220 Construction: The Directors' Agreement ensures that the proposal would be constructed in compliance with the Code of Construction Practice.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.221 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 10.222 This is an application by the Council and the Council is the determining local planning authority on the application. It is not possible legally to bind the applicant via a S106 legal agreement. It has been agreed that as an alternative to this a letter and memorandum of understanding between the proper officer representing the applicant LBI Housing and the proper officer as the Local Planning Authority will be agreed subject to any approval. The agreement will include the following agreed heads of terms:
- On-site provision of affordable housing in line with submission documents including a provision of 70% affordable housing (Social Rent). All measured by habitable rooms.
 - The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the

applicant and the work carried out by LBI Highways. Conditions surveys may be required.

- The designation of 8 on-street parking bays as adopted highway parking spaces. (i.e re-designate some estate roads to publicly adopted highway)
- Changes to highways (and subsequent impacts on parking, street lighting and trees) are to be agreed with the Traffic and Parking, and Highways services.
- Compliance with the Code of Employment and Training
- Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £20,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £7136 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Removal of eligibility for residents' on-street parking permits.
- Prior to the demolition of the existing building a Green Performance Plan shall be submitted to and approved by the Local Planning Authority.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £142 931); Total amount to be confirmed by the Council's Energy Conservation Officer after approval of Condition 14 (Solar Photovoltaic Panels) and Condition 19 (Energy Efficiency).
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Not to occupy the community rooms until a 'Scheme of Management' has been submitted to and approved by the Council.
- Council's legal fees in preparing the Directors Agreement and officer's fees for the preparation, monitoring and implementation of the Directors Agreement.

National Planning Policy Framework

10.223 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

Other Matters

- 10.224 In accordance with Core Strategy Policy CS13, the Directors' Agreement secures the provision of four work placements during the construction phase of the development.
- 10.225 In the representations received comments are made regarding various parts of the development blocking views from the neighbouring residential properties. It should be noted that in respect of planning there is no right to a view. However, the neighbouring properties would retain an acceptable level of outlook, daylight and sunlight.
- 10.226 Loss of financial value to neighbouring properties has been raised in representations received, however, financial value is not a material planning consideration and as such has not been assessed here.
- 10.227 Representations have been received questioning whether car parking would be provided at Block I with concern raised regarding vehicle movements from the entrance off Ockendon Road. The proposal does not include any parking provision for this part of the site.
- 10.228 A number of representations have raised concern regarding potential increases in anti-social behaviour resulting from the proposed development. The proposal would create a greater level of permeability to the site, with more active frontages, a greater level of overlooking to public spaces and a lighting plan, all of which would reduce opportunities for anti-social behaviour.
- 10.229 A representation has been received which raises concern over No. 231 Balls Pond Road being incorporated within the Dover Court Estate. The proposal would not amend the extent of the Council's land ownership beyond the existing site area.
- 10.230 A number of representations received raise concern regarding disturbance from and the length of time of the construction period. Conditions are recommended which requiring the submission of a Construction Management Plan and Construction Environmental Management Plan (condition 5 and 6). Additionally the Directors' Agreement ensures that the construction is compliant with the Code of Construction. Outside of planning control there are other controls on the construction, such as Environmental Health Regulations which would protect the amenity of neighbouring occupiers during the construction period and the applicant has detailed that upon the appointment of a contractor more detailed information will be provided for residents.
- 10.231 Representations have been received which question the location of the proposed infill developments, suggest that other areas of the estate should be considered and propose alternative development proposals. Throughout pre-application discussions various sites and proposals were explored across the estate. The areas proposed are considered to represent the most suitable locations for infill development and the environmental improvements across the estate are of high quality as set out above.
- 10.232 The site is partly located within a Crossrail 2 Railway Safeguarding and there is subsurface sewerage infrastructure across the site. Accordingly conditions are recommended which require the submission of details to ensure that the construction methods would not impact upon Crossrail and Thames Water infrastructure.

- 10.233 Representation has been made regarding the location of the proposed ball court not being near properties where children live. The proposed ball court is located within a central and highly accessible location within the estate and would provide better levels of natural surveillance than the current ball court. Furthermore, the location of children across the estate is subject to change.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 The planning application proposes extensive landscaping works to the entire site, the demolition of Romford House and a number of garages to facilitate the construction of 9 residential blocks across the site to provide 70 new dwellings and a community room.
- 11.2 The scheme delivers good quality housing including a high proportion of affordable housing (70% all social rent tenure) and accessible accommodation to address housing needs within the borough.
- 11.3 The landscaping works and alterations to the layout of Baxter Road create an amalgamated open space within the southern part of the estate, reprovided a ball court and providing additional amenity space across the entire estate. The landscaped areas would be of a higher amenity and biodiversity quality than the existing designated Open Space and Site of Importance for Nature Conservation (SINC). While 38 trees would be removed, 102 would be planted.
- 11.4 The scale, massing and form of the proposed development is in keeping with the surrounding built form and would represent a high quality design that responds appropriately to the local context. Density figures are within acceptable levels and the proposed accommodation is of a high residential quality.
- 11.5 Residents concerns predominantly relate to neighbour amenity. The proposed blocks would not be overbearing to neighbouring occupiers. There are identified effects and losses of daylight receipt to neighbouring properties as a result of the development but following a critical assessment of these losses and realistic alternative development options, it is not considered that this would justify the refusal of the application in the context of the balance of various planning considerations.
- 11.6 On the most part the proposed residential units would achieve Code for Sustainable Homes Level 4, the site would achieve a CO2 reduction of 40% and the Sustainable Urban Drainage Strategy is of a very high standard.
- 11.7 Car parking at the site would be significantly reduced, from 165 spaces to 67 with sufficient accessible parking spaces provided. Cycle parking accords with policy requirements, providing 134 cycle parking spaces across the estate.
- 11.8 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a Directors' Agreement to secure the necessary mitigation.

Conclusion

- 11.9 It is recommended that planning permission be granted subject to conditions and director level agreement securing the heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to a Directors' Agreement between Housing and Adult Social Services and Environment and Regeneration or Planning and Development in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management:

- On-site provision of affordable housing in line with submission documents including a provision of 70% affordable housing (Social Rent). All measured by habitable rooms.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- The designation of 8 on-street parking bays as adopted highway parking spaces. (i.e re-designate some estate roads to publicly adopted highway)
- Changes to highways (and subsequent impacts on parking, street lighting and trees) are to be agreed with the Traffic and Parking, and Highways services.
- Compliance with the Code of Employment and Training
- Facilitation of 4 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £20,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £7136 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
- Removal of eligibility for residents' on-street parking permits.
- Prior to the demolition of the existing building a Green Performance Plan shall be submitted to and approved by the Local Planning Authority.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £142 931); Total amount to be confirmed by the Council's Energy Conservation Officer after approval of Condition 14 (Solar Photovoltaic Panels) and Condition 19 (Energy Efficiency).
- Submission of a draft framework Travel Plan with the planning application, of a draft Travel Plan for Council approval prior to occupation, and of a Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).

- Not to occupy the community rooms until a ‘Scheme of Management’ has been submitted to and approved by the Council.
- Council’s legal fees in preparing the Directors Agreement and officer’s fees for the preparation, monitoring and implementation of the Directors Agreement.

That, should the Director Level Agreement not be completed prior to the expiry of the planning performance agreement the Service Director, Planning and Development / Head of Service – Development Management may refuse the application on the grounds that the proposed development, in the absence of a Directors’ Level Agreement is not acceptable in planning terms.

RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	<p>Commencement (Compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>462_PL_001 Rev A, 462_PL_002 Rev B, 462_PL_003 Rev B, 462_PL_004 Rev E, 12/1630 01/P, 12/1630 02/P, 12/1630 03, 12/1630 04, 12/1630 05, 12/1630 06, 12/1630 07, 12/1630 01, 12/1630 02, FHA-604-D-101 Rev C, FHA-604-D-102 Rev A, FHA-604-D-103 Rev A, FHA-604-D-104 Rev A, FHA-604-D-201 Rev C, FHA-604-D-202 Rev A, FHA-604-D-401 Rev B, FHA-604-D-402 Rev A, FHA-604-D-501 Rev A, FHA-604-D-502 Rev A, 462_SK_PL_105 Rev B, 462_PL_100 Rev C, 462_PL_101 Rev B, 462_PL_102 Rev C, 462_PL_103 Rev B, 462_PL_104 Rev D, 462_PL_110 Rev D, 462_PL_111 Rev D, 462_PL_112 Rev D, 462_PL_113 Rev D, 462_PL_114 Rev D, 462_PL_120 Rev E, 462_PL_121 Rev E, 462_PL_122 Rev E, 462_PL_123 Rev E, 462_PL_124 Rev E, 462_PL_130 Rev C, 462_PL_131 Rev C, 462_PL_132 Rev C, 462_PL_133 Rev C, 462_PL_134 Rev C, 462_PL_201 Rev B, 462_PL_301 Rev B, 462_PL_302 rev B, 462_PL_303 Rev B, 462_PL_304 Rev C, 462_PL_305 Rev C, 462_PL_306 Rev B, 462_PL_307 Rev B, 462_PL_308 Rev B, 462_PL_309 Rev C, 462_PL_310, 462_D_001 Rev B, 462_D_002 Rev B, 462_D_003 Rev B, 462_D_004 Rev B, 462_D_005 Rev B, 462_D_006 Rev B, 462_D_007 Rev B, 462_D_008 Rev B, 604_L_001 Rev B, 604_L_002 Rev A, 604_L_003 Rev A, 604_L_101 Rev C, 604_L_201 Rev C, 604_L_301604_L_401 Rev B, Planning Statement ref: LBI/DCE/02, Design and Access Statement July 2014, Arboricultural Impact Assessment Ref: DF2110, Transport Assessment Ref 29930 Rev 1.1, Response to LBI Transport Officer Note No. 1 (received 25/11/2014), Noise Impact Assessment Ref: 29930 Rev 01 July 2014, Proposed Ball Court Noise Impact Assessment Ref: 29930 Rev 01 April 2014, Barrier Correction details (received 24/11/2014), Air Quality Assessment Ref: 29930/3002, Ecology Appraisal June 2014, Landscape Management and Maintenance Plan Rev A (Preliminary) Daylight and</p>

	<p>Sunlight Report Version 1, Daylight/Sunlight additional information dated 3rd November 2014, Daylight/Sunlight additional information dated 22nd December 2014, External Lighting Calculation for Planning, External Rev A, External Artificial Lighting Rev A for submission, Flood Risk Assessment and Drainage Strategy Ref: K14/0111, Energy Strategy Ref G6/K130863 Rev 02 and response to Islington Planning Comments Ref K130863 (received 24/11/2014)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Phasing (Details)</p>
	<p>CONDITION: Prior to the commencement of any part of the development a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall henceforth not proceed other than in complete accordance with such Plan as will have been approved from time to time by the Local Planning Authority</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure an adequate provision of amenity space including a ball court during construction and limit adverse impacts upon biodiversity and the amenities of neighbouring residential properties, and to ensure that the development is implemented to the satisfaction of the Local Planning Authority</p>
4	<p>Materials and Samples (Details)</p>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and perforated brickwork including the glazed brick and boundary walls shall be provided; b) window reveals, soldier courses and balconies; c) Zinc cladding; c) Metal sheet cladding including perforated pattern; d) Roof capping; e) Doors; timber doors and aluminium entrances/screens; f) Aluminium/timber composite window treatment; g) Canopies; h) Timber screens; i) Balustrades; j) Balcony materials; k) Roofing materials; l) Green procurement plan; and m) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard</p>
5	<p>Demolition and Construction Management Plan and Demolition and</p>

	<p>Construction Logistics Plan</p> <p>CONDITION: No demolition shall take place unless and until a Demolition and Construction Management Plan (DCMP) and a Demolition and Construction Logistics Plan (DCLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts.</p> <p>The development shall be carried out strictly in accordance with the approved DCMP and DCLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development</p>
6	<p>Construction Environmental Management Plan</p> <p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In the interests of residential and local amenity, and air quality, in accordance with policies 7.14 and 7.15 of the London Plan 2011, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
7	<p>Obscure Glazing and Privacy Screens</p> <p>CONDITION: Notwithstanding the plans hereby approved the following windows shall only be obscurely glazed:</p> <ul style="list-style-type: none"> - First floor west (rear) facing windows to units B1, B2 and B3 - First floor east facing windows to unit D6 - First floor west facing windows to unit D7 - Easternmost first floor south (front) facing window to Unit I5 - Second floor east facing element of bay window in Unit D1 - The first, second and third floor windows in the east elevation of Block E shall only be obscurely glazed up to half the height of the window <p>And the following balconies/roof terraces shall have an obscured frameless glass privacy screen up to a height of 1.7 metres above finished floor level:</p> <ul style="list-style-type: none"> - Eastern end of third floor roof terrace to Block A; - Eastern end of first, second and third floor balconies on south elevation of Block E ; <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p>

	REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.
8	Railway Safeguarding Design and Construction Method Statement (Details)
	<p>CONDITION: Prior to the commencement of the development hereby approved, a detailed design and construction method statement for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:</p> <ul style="list-style-type: none"> (i) Accommodate the proposed location of the Chelsea Hackney Line structures including tunnels, shafts and temporary works, (ii) Accommodate ground movement arising from the construction thereof, (iii) Mitigate the effects of noise and vibration arising from the operation of the Chelsea Hackney Line railway within the tunnels and other structures, (iv) Mitigate the effects on the Chelsea Hackney Line, of ground movement arising from development. <p>The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs C1(i), (ii), (iii) and (iv) of this condition shall be completed, in their entirety, before any part of the building[s] [is] [are] occupied.</p> <p>REASON: The proposed works will be located within a Crossrail 2 Railways Safeguarding Area. The works have the potential to impact upon any future provision of railway infrastructure.</p>
9	Piling Method Statement (Details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.</p>
10	Accessible Homes (Compliance)
	<p>CONDITION: With the exception of Unit F1 and F2 the residential dwellings hereby approved within the development, shall be constructed to the standards for Flexible Homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
11	Wheelchair Accessible Units (Compliance)
	CONDITION: The eight (8) wheelchair accessible dwellings of the development as identified in the approved documents shall be provided and fitted out prior to the first occupation of the development.

	<p>REASON: To secure provision of the appropriate number of wheelchair accessible units in a timely fashion and to: address the backlog of and current unmet accommodation needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>
12	<p>Wheelchair Accessible Car Parking (Compliance)</p> <p>CONDITION: The nineteen (19) disabled parking bays hereby approved shall be constructed and available for use by eligible occupants of the wheelchair accessible units approved and existing blue badge holders within this development prior to the first occupation of the development and shall be appropriately line-marked and thereafter kept available for their intended use at all times if and when required.</p> <p>REASON: To ensure that the design and construction of the disabled parking bays are appropriate and meet with the council's design criteria, furthermore that the new bays are designed to a suitable standard which ensures that they are eligible for adoption.</p>
13	<p>Code for Sustainable Homes (Compliance)</p> <p>CONDITION: With the exception of Block A and Block I, the residential units hereby approved shall achieve a Code of Sustainable Homes rating of no less than 'Level 4'.</p> <p>The residential units in Block A and I shall achieve a Code for Sustainable Homes rating of 3 and achieve all of the credits detailed in the Energy Strategy hereby approved.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
14	<p>Solar Photovoltaic Panels</p> <p>CONDITION: Prior to the commencement of the development hereby approved, details of the proposed Solar Photovoltaic Panels on existing buildings at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans). <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
15	<p>Water Use (Compliance)</p> <p>CONDITION: The development shall be designed to achieve a water use target of no more than 95 litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
16	<p>Green/Brown Biodiversity Roofs (Details)</p> <p>CONDITION: Prior to any superstructure work commencing on the development details of the biodiversity (green/brown) roofs shown across the development shall be submitted to and approved in writing by the Local Planning Authority</p>

	<p>The green/brown roof shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roofs should be maximised across the site and shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.</p>
17	<p>Rainwater Butts and Composting (details)</p>
	<p>CONDITION: Details of rainwater butts and composting facilities shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite.</p> <p>The details as approved shall be brought into use prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: To ensure the sustainable use of water and in accordance with sustainability policy.</p>
18	<p>SUDS (Compliance)</p>
	<p>CONDITION: The sustainable urban drainage system (SUDS) shall be fully installed in strict accordance with the details hereby approved, operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that sustainable management of water and flood prevention.</p>
19	<p>Energy Efficiency – CO2 Reduction (Compliance/Details)</p>
	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Strategy (Ref: G6/K130863 Rev 02) and Response to Islington Planners (Ref: K130863) which shall together provide for no less than a 40% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010 as detailed within the Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, particularly in light of condition 14, the following shall be submitted prior to the commencement of the development:</p>

	<p>a) A revised Energy Strategy, which shall provide for no less than a 40% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2010.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
20	<p>Landscaping (Details)</p>
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) proposed trees: their location, species and size; c) soft plantings: including grass and turf areas, shrub and herbaceous areas; d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) all playspace equipment and structures; and h) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
21	<p>Play Space Management and Maintenance Strategy</p>
	<p>CONDITION: The ball court and play equipment, with the exception of the sand pit shall be managed and maintained in accordance with the Playspace Management and Maintenance Strategy on pages 86 and 86 of the Design and Access Statement hereby approved.</p>

	<p>A Management and Maintenance Strategy for the sand pit shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the safe maintenance and management of play space and equipment.</p>
22	<p>Arboricultural Method Statement (Details)</p>
	<p>CONDITION: No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan, TPP) and the appropriate working methods (the arboricultural method statement, AMS) in accordance with Clause 7 of British Standard BS 5837 2012 –Trees in Relation to Demolition, Design and Construction has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> a. Location and installation of services/ utilities/ drainage b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees c. Details of construction within the RPA or that may impact on the retained trees d. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area. e. The pavement is not to be obstructed during demolition or construction and the RPA of retained trees not to be used for storage, welfare units or the mixing of materials. f. The location of a cross over or method of delivery for materials onto site g. The method of protection for the retained trees <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
23	<p>Site Supervision (Details)</p>
	<p>Condition: No works or development shall take place until a scheme of supervision and monitoring for the arboricultural protection measures in accordance with para. 6.3 of British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction - recommendations has been approved in writing by the local planning authority. The scheme of supervision shall be carried out as approved and will be administered by a qualified arboriculturist instructed by the applicant. This scheme will be appropriate to the scale and duration of the works and will include details of:</p> <ul style="list-style-type: none"> a. Induction and personnel awareness of arboricultural matters; b. Identification of individual responsibilities and key personnel; c. Statement of delegated powers; d. Timing and methods of site visiting and record keeping, including updates

	<p>e. Procedures for dealing with variations and incidents.</p> <p>This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
24	<p>Ecological Protection Site Pack</p> <p>CONDITION: No works shall commence on site unless and until a Ecology Protection Site Pack (EPSP) which details an inspection regime and watching brief relating to all those parts of the site where removal of existing areas of vegetation, trees and hardstanding is proposed has been submitted to and approved in writing by the Local Planning Authority,.</p> <p>The schedule shall include activities such as pruning works, vegetation and tree clearance; excavations for foundations and removal of existing areas of hardstanding and use of heavy machinery together with a schedule of monitoring and ecological supervision, method statements, report submission after regular periodic compliance inspections, brief site inspection report with photos and tool-box training.</p> <p>The works shall be carried out strictly in accordance with the EPSP so agreed and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority. Any breaches or non-compliances with the agreed EPSP must be reported to the Local Planning Authority's Biodiversity Team as soon as practical and confirmed in writing no later than six (6) hours of the event. Photographic evidence of any breaches or non-compliances together with remedial measures and proposed timescale for remediation shall be agreed in writing by the Local Planning Authority's Biodiversity Team and shall be carried out as agreed and in accordance with the agreed timescale.</p> <p>The EPSP, site inspection regime and watching brief shall be undertaken by a suitably qualified ecologist consultant.</p> <p>REASON: In the interests of ensuring that the biodiversity value and protected species that may be within the site.</p>
25	<p>Ball Court Noise Management Plan</p> <p>CONDITION: A Noise Management Plan assessing the impact of the ball court shall be submitted to and approved in writing by the Local Planning Authority prior to the ball court use commencing on site. The report shall assess impacts during the operational phase of the ball court on nearby residents and other occupiers together with means of mitigating any identified impacts. The ball court shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
26	<p>Sound Insulation (Compliance)</p> <p>CONDITION : For all the approved residential units sound insulation and noise control measures shall be used to achieve the following internal noise targets (in line with BS 8233:2014):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq,8 hour and 45 dB Lmax (fast)</p>

	<p>Living Rooms (07.00-23.00 hrs) 35 dB LAeq, 16 hour Dining rooms (07.00 –23.00 hrs) 40 dB LAeq, 16 hour</p> <p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
27	<p>Roof Top Plant (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
28	<p>Air Quality (Details)</p> <p>CONDITION: Prior to the first occupation of Block A a scheme of ventilation shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be brought into use prior to the first occupation of the relevant part of the development and retained as such permanently thereafter.</p> <p>REASON: To ensure an adequate air quality to residential occupiers.</p>
29	<p>Ball Court use and floodlights (Compliance)</p> <p>CONDITION: The ball court and associated floodlighting hereby approved shall be operated during the hours of 0800 – 2100 only. The use of the floodlights within these hours shall be controlled by a photocell detector and a timer switch.</p> <p>REASON: To protect the amenity of neighbouring occupiers adjacent to the ball court and to protect the wider biodiversity value of the site.</p>
30	<p>Lighting Plan (Details)</p> <p>CONDTION: Full details of the lighting across the site, including the floodlight to the ball court shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minised. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
31	<p>Nesting Boxes (Compliance)</p>

	<p>CONDITIONS: Details of bird and/or bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.</p> <p>The nesting boxes/bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
32	<p>Delivery Servicing Plan (Details)</p> <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the residential units and the community rooms including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic</p>
33	<p>Site Waste Management Plan (Details)</p> <p>CONDITION: Full particulars and details of a Site Waste Management Plan (SWMP) which ensures waste produced from any demolition and construction works is minimised shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced and the development shall not be carried out otherwise than in accordance with the particulars so approved.</p> <p>The SWMP shall identify the volume and type of material to be demolished and or excavated and include an assessment of the feasibility of reuse of any demolition material in the development. The SWMP shall also consider the feasibility of waste and materials transfer to and from the site by water or rail transport wherever that is practicable.</p> <p>REASON: To maximise resource efficiency and minimise the volume of waste produced, in the interest of sustainable development.</p>
34	<p>No Plumbing or Pipes (Compliance/Details)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
35	<p>Refuse/Recycling Provided (Details)</p> <p>CONDITION: Details of the dedicated refuse / recycling enclosure(s) shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling stores shall be provided prior to the first</p>

	<p>occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>
36	<p>Cycle Parking (Compliance)</p> <p>CONDITION: Details of the bicycle storage areas shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The approved bicycle stores shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
37	<p>Community Rooms (Compliance)</p> <p>CONDITION: The community rooms hereby approved shall not be operated within any other use falling within the D1 use class unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that there is adequate provision of community space at the site</p>
38	<p>Permitted Development Rights (Compliance)</p> <p>CONDITION: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no works under Schedule 2, Part 1 of the above Order shall be carried out to the dwellinghouses hereby approved without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouses in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>

List of Informatives:

1	<p>Planning Obligations Agreement</p> <p>You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</p>
2	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	<p>Car-Free Development</p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	<p>Water Infrastructure</p> <p>There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
6	<p>Crossrail</p> <p>Crossrail Ltd has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea Hackney Line structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to discuss these guidelines</p>

	with the Chelsea Hackney Line engineer in the course of preparing detailed design and method statements.
7	Working in a Positive and Proactive Way
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
8	Materials
	<p>INFORMATIVE: In addition to compliance with condition 4 materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 5.18 Construction, excavation and demolition waste

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

Policy CS15 (Open Space and Green Infrastructure)

Policy CS16 (Play Space)

Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.1 Mix of housing sizes

DM3.2 Existing housing

DM3.4 Housing standards

DM3.5 Private outdoor space

DM3.6 Play space

DM3.7 Noise and vibration (residential uses)

Shops, cultures and services

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

DM6.1 Healthy development

DM6.3 Protecting open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Rail safeguarding Area
- Site of Importance for Nature Conservation

- (SINC)
- Open Space
 - Within 100 metres of Strategic Road Network
 - Within 50 metres of Canonbury Conservation Area
 - Within 50 metres of East Canonbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

APPENDIX 3: DRP Comments

17th October 2014



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Our ref: **DRP/41**

Date: 21 November 2014

Alistair Gale
Northway House
257 Upper Street
Islington
London N1 1RU

Dear Alistair Gale,

ISLINGTON DESIGN REVIEW PANEL

RE: Dover Court Estate (Multiple Sites), Dove Road, N1 3HN – planning application reference P2014/3363/FUL

Thank you for coming to Islington's Design Review Panel meeting on 17 October 2014 for a follow-up review of a proposed development scheme at the above address. The proposed scheme under consideration was for multi-faceted Estate redevelopment and regeneration proposals including the demolition of an existing two-storey residential building (Romford House) and 81 garages to allow for the construction of 70 new homes (27 x 1 bed, 26 x 2 bed, 15 x 3 bed and 2 x 5 bed) across nine infill sites, consisting of the construction of a part three, part four storey block and a two semi-detached pair of dwellings facing Balls Pond Road, a two storey block between Dove Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms, a part two, part three storey terraced row facing Wall Street, a part single, part three and part four storey extension to the north east corner of Ongar House, a four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchinson Road and a part single, part two storey terraced row to the rear of Warley House, and the provision of new green space and sports and play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the estate and the relocation of Baxter Road to the front of Romford House (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), Paul Reynolds, Stephen Archer, Ludwig Tewksbury and Charles Thomson in the afternoon of Friday 17 October 2014 including a presentation by the design team, question and answers session and deliberations at Islington's Municipal Offices, 222 Upper Street. The scheme had first been reviewed by the Panel on 8 April 2014 at pre-application stage. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the council.

Panel's observations

- Once again, the Panel supported and welcomed the proposed regeneration of the Estate. They acknowledged the development of the scheme to address concerns previously raised and felt the scheme had progressed in some positive ways. However, panel members were of the opinion that some small but significant aspects of the scheme required resolution and some clarity was needed in relation to some areas of the proposal.
- The Panel felt that the central route had improved in some ways but that particular attention should be made to the route as it peters out behind Threadgold House. This infers that it is an internal organising element and not a route that extends to integrate the surrounding area ie extending directly to Balls Pond Road. However this approach has compounded the challenges that the north-eastern corner and Threadgold House faces in clarifying the interface between the estate and the junction of Balls Pond Road and Southgate Road. The key question is the legibility of this internal organisation. If approaching the estate from this junction it is not clear if the primary route is around the north of Threadgold House to the 'central' route or along the eastern face of Threadgold House.
- Therefore it was felt that the integration of Dove Road into the scheme as it approaches Southgate Road (also in relation to Wall Street) is important as this could help resolve the legibility of the 'central route' and create a clearer hierarchy to some of the circulation issues around the base of Threadgold House, particularly the direct route from the Balls Pond Road & Southgate Road junction and the bus stop adjacent.
- The Panel raised concerns in relation to the base of Threadgold House, in particular regarding the uses and treatment and the disabled unit.
- The Panel suggested that the wheelchair entrance should face other residential units to reinforce the residential street character and give the unit a western aspect rather than the current northern one.
- It was felt that generally the buildings should more confidently address the edges of the site to ensure a better contribution to the public space. Although the Panel appreciates that the Estate is inherently inward looking, an appropriate hierarchy of spaces and routes was needed. In particular, the need for a more positive contribution on the corner at the Balls Pond Road and Southgate Road junction as an interface with the public realm was highlighted.
- Attention was drawn to the north-east corner of the site where panel members felt there was a real missed opportunity and that additional work was required in particular in relation to the spatial relationship with Threadgold House and Wall Street and also the lack of legibility of the route at this point.
- The Panel felt that the planting proposed on the northern and heavily shaded side of Threadgold House would not thrive and that it may be more appropriate to incorporate free standing bin storage. This was considered a more appropriate location for the bin storage than the highly visible north-eastern corner.
- Concerns were also raised over the vehicular circulation along Wall Street and around the rear of the proposed terrace. It was felt that this could create a 'roundabout' linking Wall Street with the courtyard between the new housing and Ilford House and reducing the spatial clarity of the 'courtyard' space.



- Panel members suggested that at the Dove Road barrier, the inclusion of an 'encounter zone' shared surface beyond the existing raised table would better reflect the multiple desire lines and the adjacent community use.
- The Panel felt that the central garden space in Area 2 had benefitted from the further development of the scheme and the reduction in the intersecting routes had clarified for the garden spaces and how they might be used. There were concerns over the interface details between the 'over-layed' routes of intersecting, bound gravel, paths and the main 'central route'. This led to the Panel questioning if it was necessary to extend the bound gravel paths all the way to the entrances of Ilford House.

Summary

The Panel welcomed reviewing the scheme for a second time and reiterated their support of the objective of providing regeneration to the Estate. However, panel members felt that some areas would benefit of further resolution and clarity to ensure the best quality scheme for the site. Concerns were raised particularly in relation to lack of hierarchy and clarity of routes, the resolution of the Northeast corner of the site and interface with the public realm. The Panel appreciates that the scheme is now at application stage and encouraged the design team to work closely with planning officers to ensure the concerns raised will be addressed either via revisions or through conditions should a favourable recommendation be made to the Planning Committee.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that as the scheme under review is currently the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave
Design Review Panel Coordinator/
Design & Conservation Team Manager





Viability Appraisal

Dover Court Estate

Background

Adams Integra have been instructed by the London Borough of Islington to comment on the viability of the proposed re-development of the site at the Dover Court Estate, in Islington. The council will be demolishing an existing two-storey residential building (Romford House) consisting of 18 units and 81 garages to allow for the construction of 70 new homes (19 for outright sale and 51 for social rent) across nine infill sites, consisting of the construction of a part three, part four storey block and a two semi-detached pair of dwellings facing Balls Pond Road, a two storey block between Dove Road and Balls Pond Road, alterations and extension to ground floor of Threadgold House to create a residential unit and community rooms (measuring 135.8square metres), a part two, part three storey terraced row facing Wall Street, a part single, part three and part four storey extension to the north east corner of Ongar House, a four storey extension to the west elevation of Ongar House, a three storey terraced row replacing Romford House, a four storey block between Warley House and No. 53 Mitchinson Road and a part single, part two storey terraced row to the rear of Warley House, and the provision of new green space and sports and play facilities, including a new ball court to the east of Greenhills Terrace, cycle storage, public realm improvements across the estate and the relocation of Baxter Road to the front of Romford House.'

Our comments relate purely to the viability of the scheme and do not cover any other planning matters.

It is a Council led scheme and the applicants maintain that the schemes provide the minimum number of private houses needed to subsidise the affordable housing in order for the schemes to remain viable. The proposed affordable housing offer is 72.8% (by unit).

Viability is considered to be a material consideration which Local Planning Authorities are obliged to take into account in considering planning requirements.

Adams Integra have a considerable track record of assessing viability of planning gain requirements both for Local Authorities and for developers. This expertise runs to several years work for 73 Local Authorities and for a range of national, regional and local developers.



The writer of this report, David Coate, has over 25 years experience in the development industry working for Local Authorities and developers as well as RPs and consultancy. He is experienced in considering viability analysis.

The need to consider viability is a material consideration. There is no debate about the reasonableness of the Council's requirements, the nub of the issue is the impact in this case of what is required and how that affects the profitability of the scheme.

To take a view on a viability assessment put to us we have carried out a viability appraisal based on assumptions made by the applicant and using industry standard assumptions.

We have used the Homes and Communities Agency's Development Appraisal Tool (HCA DAT) which is a recognised method of assessing viability and has been used at many inquiries where viability is an issue and has superseded the Homes and Communities Agency's Economic Appraisal Tool (HCA EAT). The scheme has been appraised against an existing use value for the land. In this case the HCA DAT assesses whether the scheme is in surplus (i.e. viable) or in deficit (not viable). The HCA DAT is widely used in viability arguments and has been used at many inquiries where viability is an issue.

The Planning Gain requirement

We have been asked to carry out a review of the appraisal and submit a report advising if the resulting affordable housing is the maximum possible deliverable.

Reasonable Profit Level

Adams Integra has represented numerous clients in both Appeal and Local Planning Inquiry context. At those forums the level of profit a scheme should make has been the subject of debate with expert witnesses and Inspectors coming to the view that, if at all possible, schemes should make between 17.5% to 20% profit on sales. We have, however, appraised this scheme using a profit level of 1% for both the private units and the affordable element as this is a Council led scheme and any "profit" would be re-input into the scheme. The 1% element is the lowest figure that the HCA DAT will allow us to input.

Appraisal summary

We have carried our own appraisal of the scheme based on standard generic values but with actual values or estimates where these are given by the applicant.

Assessment of figures

The appraisal presented with this report has been assessed by the writer with his considerable experience in this field.

Build Costs

The applicants have used build costs of £. for the residential element which equates to a build cost rate of £ /m² (gross) and £ for the community centre and demolition of £. This also includes all of the other associated works and the circulation areas. We have been provided with a detailed breakdown of the build cost estimate. When compared to BCIS figures and other similar schemes that the Council have carried out the build costs are reasonable.

Public Realm Improvements

The applicant's appraisal shows a sum of £ for Public Realm Improvements which we have included in our appraisal.

Sales Values

Regarding the sales prices the Council's appraisal assumes sales revenues as follows:

1 x 1 bed flats @ 50 m² - £

2 x 1 bed flats @ 69 m² - £

1 x 2 bed flat @ 68 m² - £

2 x 2 bed houses @ 79m² - £

2 x 2 bed house @ 86 m² - £

5 x 2 bed house @ 90 m² - £

5 x 2 bed house @ 114 m² - £

1 x 3 bed house @ 108 m² - £

We have carried out web based research using Zoopla and Rightmove and through talking to local estate agents.

This research indicates that the proposed sales values are reasonable

We have used the applicant's sales figures in our appraisal.

Affordable Housing Values

All of the affordable units are for social rent.

We have used the social rental figures as per the applicant's "Proval" appraisal.



22 x 1 bed flats @ 56 m ² - £	per week
3 x 1 bed flats @ 67 m ² - £	per week
2 x 2 bed flats @ 78 m ² - £	per week
6 x 2 bed flats @ 72 m ² - £	per week
1 x 3 bed flat @ 106 m ² - £	per week
5 x 3 bed houses @ 94 m ² - £	per week
10 x 3 bed houses @ 115 m ² - £	per week
2 x 5 bed houses @ 160 m ² - £	per week

Other income

The scheme is also utilising 1-4-1 RTB receipts and these cannot be combined with other forms of public subsidy (apart from land which is provided free on council owned sites). This leaves cross subsidy from open market sales as the other key funding source to deliver this and other council new build schemes which include a high proportion of homes for social rent.

The is no income assumed for the Community Centre.

Other assumptions

We have adopted a rate of 10% of the build costs to reflect the professional fees that would be incurred by the Council and 5% contingencies as per the HCA guidance.

We have used an interest rate of 4.16% as per the applicant's Proval.

We have allowed for S106 / CIL payments as follows:

Mayor's CIL - £

CO2 Offset - £

Islington S106/CIL - £

Land Values

The user manual of the HCA EAT states that the land value derived from the EAT should be compared to the Existing Use Value of the land to determine if a scheme is viable. We have



shown the value of the site as being £388,500 for the acquisition and site assembly which includes Leaseholder Buy Out, Romford House Home loss and Disturbance Allowance.

Conclusions

The approach taken in this study follows the well-recognised methodology of residual land valuation (RLV). Put simply the residual land value produced by a potential development is calculated by subtracting the costs of achieving that development from the revenue generated by the completed scheme.

In this case if the results of the RLV show a positive value then the scheme is viable if not then the scheme is not viable and would require further funding in the way of social housing grant.

We have carried out an HCA DAT appraisal of the current scheme using the input values described above for the 70 unit scheme. This produced a deficit of £ million.

It is our opinion that this appraisal demonstrates that the amount of private housing for sale is required to make the scheme viable alongside the 1-4-1 RTB receipts and the borrowing required.

This demonstrates that any further provision of affordable housing would not be possible for the scheme to remain viable.

It is our opinion that the sales values and build costs should be monitored and any increased revenue from potential higher sales or lower build costs should be allocated towards further regeneration works within the Borough.

This scheme has been looked at in terms of its particular financial characteristics and it represents no precedent for any sustainable approach on the Council's policy base.

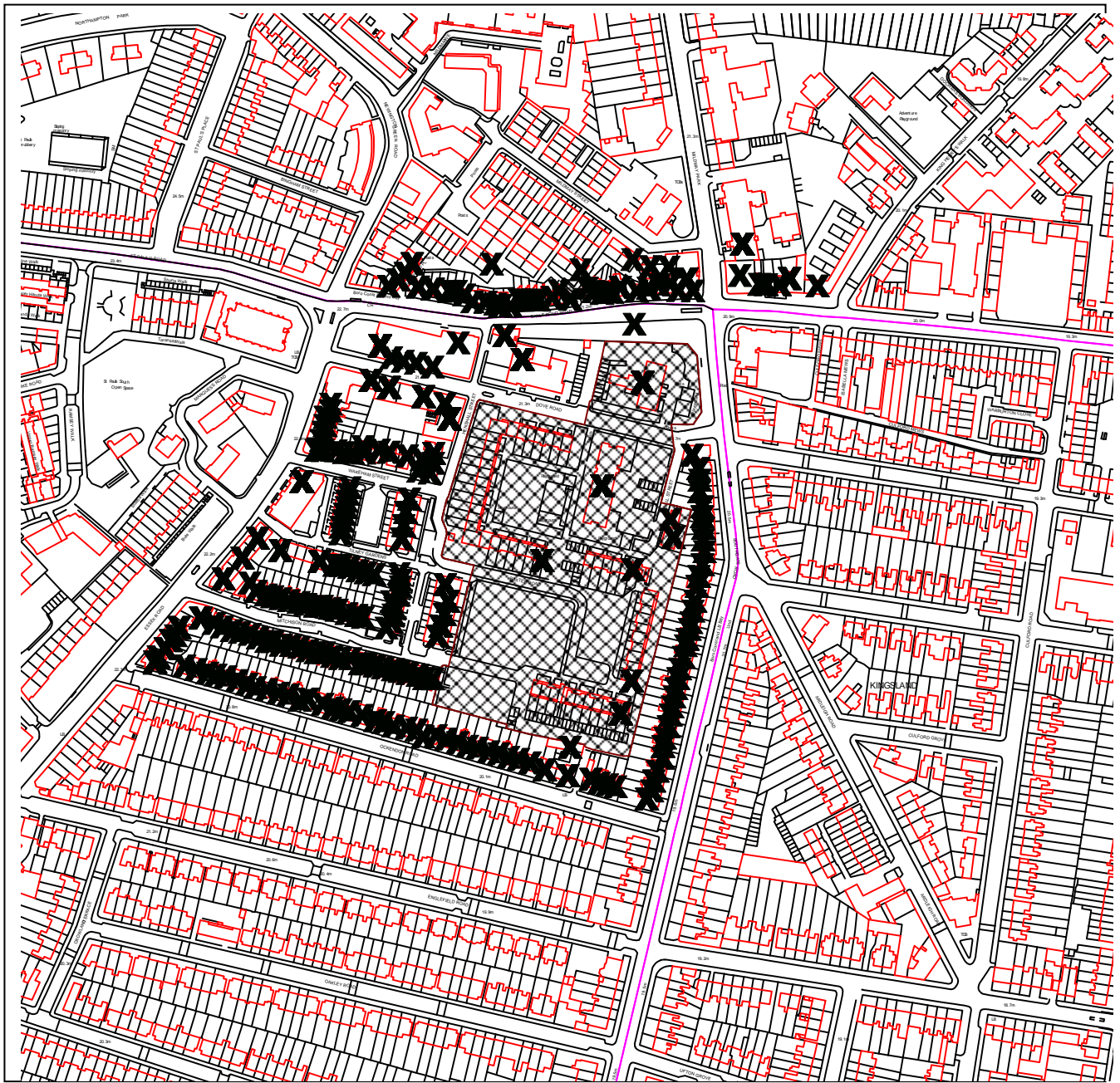
Author
David Coate
November 2014.

Appendices

1. HCA EAT appraisal



ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/3363/FUL

LOCATION: DOVER COURT ESTATE, INCLUDING LAND TO NORTH OF QUEEN ELIZABETH COURT AND GARAGES TO WEST OF AND LAND TO NORTH AND EAST OF THREADGOLD HOUSE, DOVE RO...

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ISLINGTON

SCALE: 1:3750



PLANNING COMMITTEE REPORT

PLANNING COMMITTEE		
Date:	20th January 2015	

Application number	P2014/1103/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Adjacent to Locally Listed Building – 30 Tabernacle Street / 8 Epworth Street; Opposite Locally Listed Building – 1 Bonhill Street
Conservation area	Adjacent to Bunhill Fields & Finsbury Square CA
Development Plan Context	Central Activities Zone; Bunhill & Clerkenwell Key Area; City Fringe Opportunity Area; Employment Priority Area (Offices); Moorfields Archaeological Priority Area
Licensing Implications	None
Site Address	Zimco House, 16-28 Tabernacle Street & 10-14 Epworth Street, Islington, London EC2A 4LU
Proposal	Refurbishment and extensions to the existing building comprising: demolition of existing rear two storey courtyard part of building including former caretaker's flat; demolition of existing fourth floor plant room on Bonhill Street; erection of rear infill extension at ground to fourth floor level; erection of fourth and fifth floor level roof extension along Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with internal reconfiguration; and change of use of the basement (1,778sqm) from B8 distribution warehouse to B1 office. The extensions would provide 2,503sqm of new B1 office accommodation (total 8,578sqm of B1 office floorspace) and the provision of six new residential flats with front terraces at fifth floor level, comprising one x three-bedroom flat and five x two-bedroom flats.

Case Officer	Ben Dixon
Applicant	Lawnpond LLP
Agent	Rolfe Judd

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1 of the attached 4th September Planning Committee report (with amended wording to suggested conditions 2, 12 and 23 to include amended drawings, inclusion of a canopy and to alter servicing hours); and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the attached 4th September Planning Committee report.

2 BACKGROUND

- 2.1 This application was presented to the Planning Committee on 4th September 2014 with an officers' recommendation for approval. That report is appended to this report (Appendix 2). However, the Planning Committee resolved that consideration of the application be deferred to;
 - enable the applicant to provide more detailed information and drawings, in particular in relation to the proposed improvements to the entrance to 10 Epworth Street,
 - to enable Committee Members to make a site visit; and
 - to obtain further information (of better quality and detail) in relation to the existing and proposed servicing arrangements for the site, in particular in relation to potential pedestrian/cyclist/vehicle conflicts.
- 2.2 A copy of the agreed 4th September 2014 Planning Committee minutes are attached as Appendix 1 to this report.
- 2.3 In response to these requests the applicants provided additional details and drawings on the 17th September 2014
 - showing the entrance to the residential block
 - Amended the layout of the service bay to provide greater clarity and separation between the residential parking (and access to it) and the servicing requirements for the commercial.
 - Relocated some of the servicing to basement level by increasing the size of the storage area accessed from the goods lift.
- 2.4 Residents were consulted on these amended details on the 2nd October 2014. Further, a site meeting was arranged on 8th October 2014 for the Vice chair of the Planning Committee along with residents; Rolfe Judd, architects Kyson, transport consultants Stilwells, and members of the Planning Committee.

- 2.5 Subsequent to the site visit and in light of the issues which were raised at that visit, further information was requested from the applicants about the current use of the vehicle parking area and the movements that take place over a period of time. A parking survey was carried out and the details submitted to officers. This is discussed further below.
- 2.6 Officers also queried if it was possible to consolidate the number of vehicle movements, either through restriction on vehicles/partial on-street servicing in order to reduce the potential for pedestrian conflict. (It should be noted that on-street servicing would be contrary to policy however this was suggested as a possible option only in order to overcome the particular issues in this case). The number of likely service trips is still confirmed as being a total of 22 daily vehicles of which 3 would be peak hour trips. Given the central location of the site within the wider London road network, it is anticipated that the majority of deliveries would be either 7.5 tonne box van, cars or motorcycles. Some larger 9m long vehicles may deliver but this is anticipated as being only 7-8% of trips.
- 2.7 Thus, the number of trips generated remains as originally presented to committee, however the applicants have confirmed that clear designated areas between service and residential car parking would be provided, that on-site management teams would be on hand to ensure safety and efficiency of the servicing and that pedestrian safety measures in the form of bollards and clear crossings are provided. The Servicing Strategy was amended accordingly.
- 2.8 The applicant also clarified the terms of the lease of the land on which the parking spaces are located. This is discussed further below.

3 CONSULTATION

- 3.1 A further 14 day consultation period was carried out on the 2nd October 2014. This expired on the 16th October though any representations received up until the date of the application being presented to Committee have and will be reported.
- 3.2 A further 20 representations have been received since the re-consultation raising the following points:
- Loss of light, which although being within agreed limits, is a disbenefit to someone who is elderly and housebound;
 - The height and scale of the building will take too much light from nearby residents (*this issue has already been dealt with in the original committee report at 10.60 to 10.72*);
 - The submitted light study is not impartial (*the study is commissioned by the applicant but is conducted according to adopted guidelines by an independent surveyor. It has also been scrutinised by officers who have not identified any errors in the report*)

- Residents have had sole use of the car park and do not want it to be used for servicing;
- The maintenance and running costs of the service gates will be passed on as a service charge to tenants (*the applicant has confirmed that it is likely that the shared resident/office vehicle gate would be maintained by future officer occupiers and the resident's pedestrian entrance (into 10 Epworth Street) would be maintained by Habinteg, the registered housing provider.*);
- Enclosing the service yard at night will encourage rough sleepers rather than discouraging them (*access to the yard after 7pm will be restricted so there is in fact a lesser opportunity for people other than those with fobs to gain access*)
- It is unrealistic that deliveries be time managed to suit residents.

3.3 Emily Thornberry MP A letter was received from Emily Thornberry MP's office with concerns that the residents at 10 Epworth Street will see their outside space being overshadowed and that there would be a vast reduction in natural light to these homes. Officers responded advising that the impact of the proposed development on the amenity of the neighbouring occupiers at 10 Epworth Street has been reviewed in detail as part of the application assessment.

Internal consultees

3.4 Access Officer: Raised no further objections to the revised plans and details.

3.5 Transport Officer: Raised no objection to the revised design which makes a much stronger and clearer delineated footpath for pedestrians, which is welcome. In terms of the swept paths, these appear to be unchanged from the original proposals meaning vehicles can enter and exit in forward gear, which is in line with policy and welcome.

4 EVALUATION

4.1 The existing building is used for office floorspace (B1a use class), however, the existing basement is used by a distribution company attracting a large number of deliveries and collection vehicles each day. The ground floor is predominantly "open under-croft areas", accommodating car parking, servicing, and a number of amenity courtyards. The existing servicing area on Bonhill Street is small with limited opportunities for vehicles to turn on site so nearly all of the existing servicing trips involve vehicles reversing onto/off the highway.

4.2 A much larger service area to that of the existing service area would be provided, and a new goods lifts would be positioned within the service area with two new loading bays.

Parking Survey and servicing plans

4.3 Transport consultants Stillwell's completed a further three (3) day survey of the use of the current car parking spaces on Monday 20th to Wednesday 23rd October between the hours of 07.00 and 19.00. It recorded all vehicular movement into and out of the existing car park for the 8 car parking spaces that are available to residents of 12 and 14 Epworth Street. The report found:

- A maximum of 13 two way movements (8 in and 5 out) over a 12 hour period;
- A maximum of 7 cars parked on site at any one time;
- A maximum of 4 two-way movements in any one hour;
- 5 vehicles exited the car park on each of the 3 survey days.

It was also noted that the mobility van made use of the dedicated disabled bay on Epworth Street almost immediately opposite the entrance to 10 Epworth Street.

4.4 The applicants (Lawn pond Limited) have confirmed through their lawyers that they hold the freehold interest of the land where the existing parking spaces are located. (It should be noted that the lease specifies that there are 9 spaces on site when in fact it appears that no more than 8 spaces are used). Habinteg have a leasehold interest in the land and the demise of this lease includes the basement lift pit, the 9 ground floor parking spaces, the ground floor entrance hall and entrance and lift giving access to the flats, the concrete slab at first floor and the whole of the block of flats above this slab. The Habinteg lease also gives a right of way (with or without a vehicle) over the accessway serving the 9 parking spaces.

4.5 The parking arrangement exists as a result of the lease agreement. This proposal would make this arrangement formal from a planning perspective and would allow a setting out of delineated, accessible spaces. This would be an improvement on the existing situation providing formal planning approval for the use of these spaces by residents of 12-14 Epworth Street.

4.6 Notwithstanding the on-street disabled space on Epworth Street, it is acknowledged that there would be a need to ensure that carers/ disabled visitors/ ambulances have the opportunity at any time during the day to use the on-site car park and so the proposed scheme provides a safe and secure parking area for an ambulance/mobility van/disabled vehicle within the car park. This allows for an extra wide space to the side for access to the vehicle and also has an additional area to the rear within the marked out protected access path, for transfer of wheelchairs out of vehicles.

4.7 Two swept paths analyses have been submitted that demonstrates that vehicles up the size of a 7.5 tonne box van can manoeuvre into the site using the turning head to access the two loading bays next to the goods lift. The swept path diagrams also show that the protective bollards which delineate the protected access path do not compromise the ability of the delivery vehicles to make these movements. In addition, there are two marked out areas for pedestrian crossings so that cyclists and residential vehicle users can move across the yard in a safe manner.

- 4.8 The number of likely service trips is still confirmed as being a total of 22 daily vehicles of which 3 would be peak hour trips. This contrasts with the analysis of the existing situation which includes the existing distribution centre (B8 use class) where a total of 294 two-way movements were recorded within a 12 hour period in a survey conducted in November 2013 with the following patterns:
- 71 car movements (36 inbound and 35 outbound)
 - 118 LGV van movements (58 inbound and 60 outbound)
 - 5 HGV Movements (3 inbound and 2 outbound)
 - 100 motor cycle movements (50 inbound and 50 outbound).
- 4.9 The significant decrease in the number of vehicle movements between the survey of existing / previous movements and the estimate of the proposed development is explained largely by the relocation the courier company who have already vacated to new premises. The applicant has not yet identified who the new occupiers of the premises would be, however as the application involves the loss of the existing B8 distribution use in favour of B1 office use (which is accepted as being a less intensive use in terms of vehicle movements) it is acknowledged that the potential for vehicle movements would inevitably substantially decrease from its existing situation should the development be implemented.
- 4.10 The current servicing area accessed via Bonhill Street is small with limited opportunities for vehicles to turn on site and nearly all of the existing servicing trips involve vehicles reversing onto/off the highway. In the proposed development layout, this service area is infilled to create the office entrance and so to re-instate this as a service area would involve a substantial amendment to the scheme and would also lose the benefit of the improved and unified street frontage on Bonhill Street.
- 4.11 The possibility for on-street servicing is restricted as Epworth Street is a one way street with entry from Tabernacle Street only. There are on street parking bays along the northern side of the road which are permit holders only or pay and display (Monday to Friday 8.30am – 6.30pm, Sat 8.30am – 1.30pm). The remainder of the road is restricted by single yellow lines along its length with double yellow lines at the junctions.
- 4.12 Tabernacle Street is a 'one-way' road with all traffic travelling north. There are a number of CPZ parking bays (Mon – Fri 8:30am – 6:30pm, Sat 8:30am – 1:30pm permit holder only) along Tabernacle Street, along with a mix of single and double yellow line waiting restrictions. Again, due to the restricted nature of the street layout and the lack of servicing opportunities, even if on-street servicing were to be encouraged as non-policy compliant solution, the opportunity to undertake it at this location would be limited.
- 4.13 In terms of cycle parking, secure storage would be provided in line with TfL standards. 60 spaces would be provided for the offices (1 space per 150sqm) and 7 spaces would be provided for the apartments. The spaces would be provided at ground floor level and the office floorspace would be provided with changing rooms and showers in the basement. Cyclists who park their cycles

in the storage area accessed from the service yard, are then able to use the delineated pathway and zebra crossing to exit the service yard on foot or to access the basement areas to use the showers. (This provision is safeguarded by the details of Condition 5 within the Servicing Management Plan). Currently the site offers very little cycle parking and therefore, this new provision will provide a significant benefit.

- 4.14 Maintenance staff would be on-site from 7am-7pm. Between these times the service access gates would be open. The on-site operatives will be able to assist residents using the service area.
- 4.15 Waste is likely to be collected on a daily basis by registered waste carriers with collections made out of office hours where possible so as to minimise disruption to traffic external to the building.
- 4.16 Within the updated Servicing strategy submitted since the 4th September Planning Committee; there are details of the proposed Service Management Plan (SMP) which would be completed for the site and secured via the details to be agreed within condition 5 of the original Committee report (see Appendix 2). This would ensure that the Highway Authority would have a continued assurance that servicing would be undertaken as first agreed. It would also allow officers to monitor the number and types of vehicles at the site.
- 4.17 This SMP would cover the following:
- Service bay provision / nature of goods to be delivered and size of vehicles
 - Routes for service vehicles to / from the main roads in the area
 - Frequency of deliveries and expected turnaround
 - Reducing and minimising trips and service vehicles
 - Pedestrian and highway safety
 - Refuse collection
 - Monitoring and review
- 4.18 In comparison to the existing situation, the parking spaces would be marked out with additional protective and clear pedestrian routes across the parking area. An extra wide space would be safeguarded for the use of ambulances/mobility van.
- 4.19 Given the limited number of vehicular movements that currently occur in and out of the resident's car park, the servicing arrangement demonstrates that any conflicts between pedestrians and service vehicles would be controlled and could be conducted in a safe manner. The provision of these spaces is in accordance with Islington's Inclusive Design SPD and both the Transport Officer and Access Officer have viewed the details and not raised any objections.
- 4.20 At present there are no gates to the parking area to prevent people from accessing this area. The proposal would see a bronzed sliding metal gate (final detail to be agreed by condition 3) with a filigree pattern. The door entry system would also be controlled by a waist high disabled over-ride system

positioned to the side of the entrance. For residents, the entrance doors would also be accessed by a secure entry system (e.g. access fobs) and would provide visible and audible warnings when they are in motion. There would also be a safety stop activated if a door begins to close when a person is passing through and it would revert to manual control in the event of a power failure.

4.21 It was also confirmed that there is as yet no pre-let in place for the future occupation of the building so it was not possible to tailor the servicing requirements to a particular end user. The servicing arrangements put forward would thus be suitable for either multiple occupants of the building or a single user.

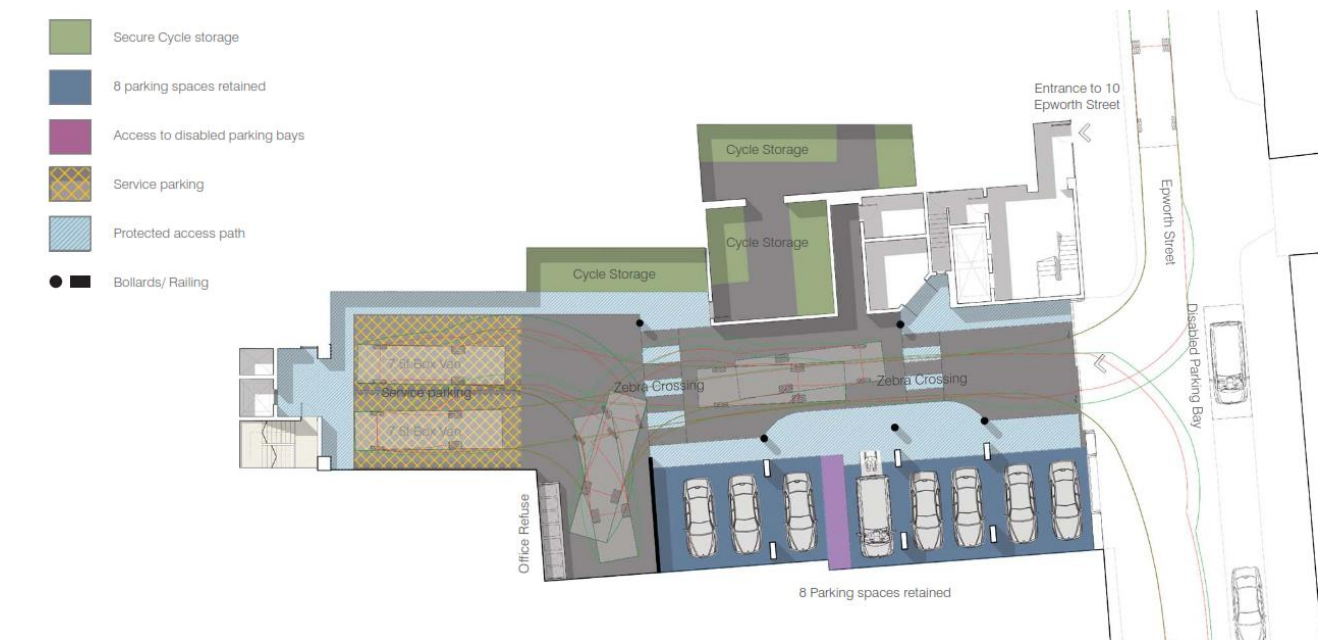


Figure 1; proposed servicing layout

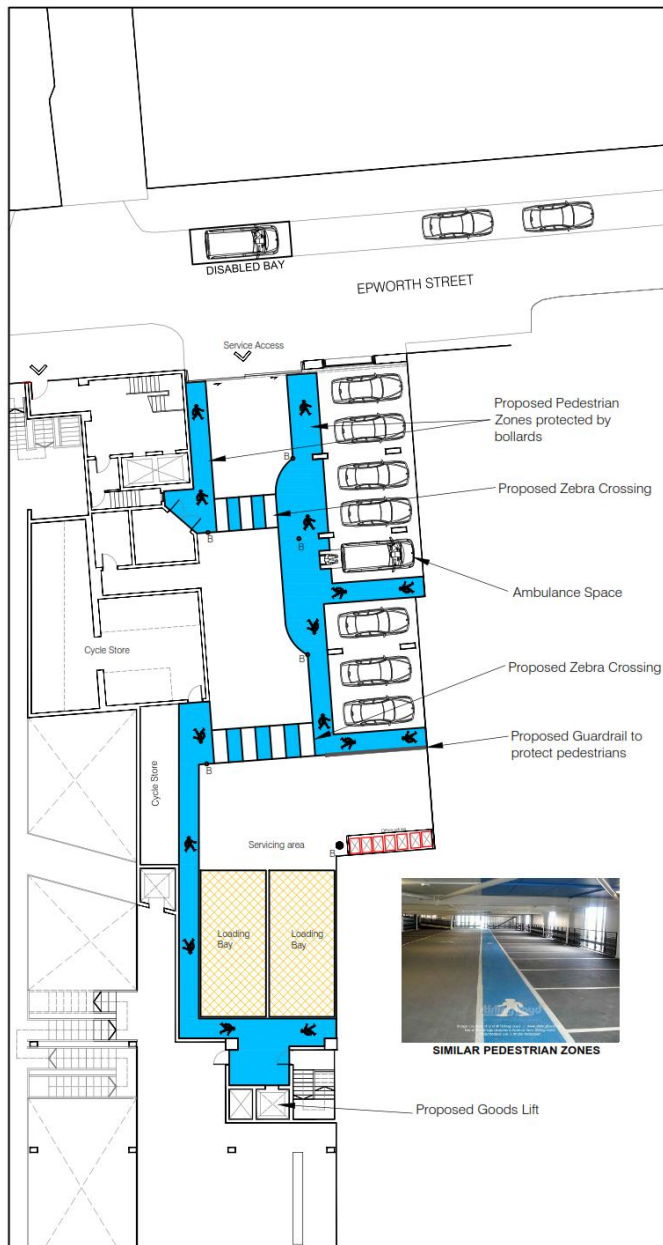


Figure 2; Proposed servicing arrangement

Alterations to Epworth Street elevations

4.22 The applicants have provided further details of the amended residential entrance at 10 Epworth Street (Figures 3 and 4) The existing arrangement has the entrance set at 90 degrees to the pavement in a recessed area. A stepped entrance to the offices is adjacent to this with a first floor overhang.

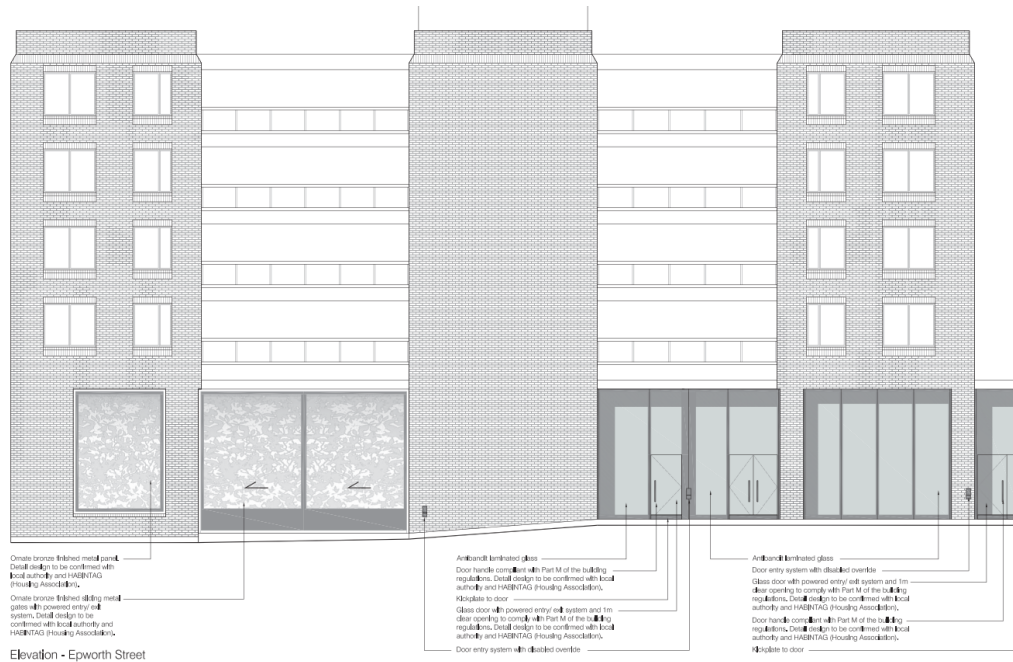


Figure 3. Proposed elevation to show no.10 Epworth Street

- 4.23 The proposed arrangement would turn the entrance to the residential flats at 10 Epworth Street from its current position at 90 degrees to the pavement so that it is flush to the back edge of pavement. The internal lobby arrangements would not alter.
- 4.24 The adjacent recessed area would then be infilled to give level access from the street to the new office layout and a separate entrance to the newly created flats on the upper floors of the proposal. All of these entrances would have a laminated glazed frontage and a powered entry/exit system to allow for accessible and level entrance to each of the office / residential uses. They also allow for active frontages onto the street. In order to give added protection from the elements to residents of 10 Epworth Street when entering and leaving the flats entrance, officers have suggested the inclusion of a canopy on the street elevation. This would be secured through amended wording to Condition 12 “New Entrance to 10 Epworth Street Flats (details)”. In this way, residents achieve the same level of weather protection as they do currently.

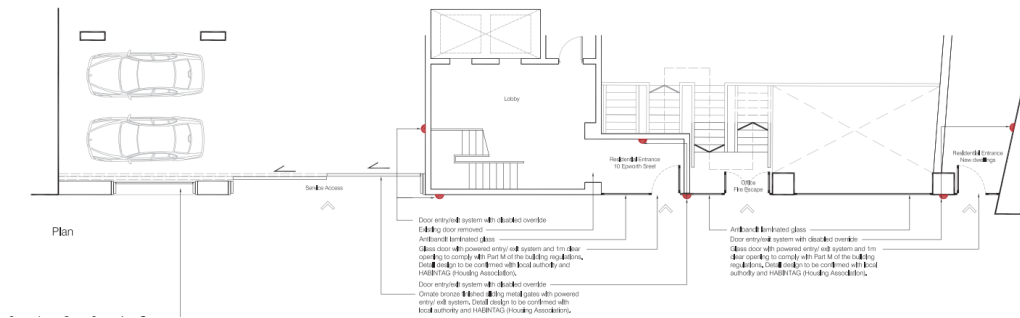


Figure 4. Proposed ground floor entrance to 10 Epworth Street

- 4.25 The car park/service yard which is currently un gated would have a sliding metal gate with powered entry system as detailed above. An existing void in the wall would be filled with an ornate bronze metal panel finished in the same material and to the same pattern as the sliding gate. This would allow the car park area to be fully secure.
- 4.26 The scheme as originally submitted included a massing streetscape study which analysed the existing design features displayed within the area. This included a study of the architectural features and common materials within the area. Along with the detailed floor plans and elevations, a series of CGIs were submitted to demonstrate how the new elevations would be seen in the context of the surrounding buildings and how the existing, confusingly laid out undercroft areas would be improved by the infilling of uniform building lines and active street frontages. The brushed bronze material (together with facing brickwork used to clad the roof level and courtyard extensions) is carried through to the ornamental brushed bronze sliding gates at the vehicular entrance on Epworth Street and this is considered to be an elegant addition to the street scheme.
- 4.27 Overall, the proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by conditions. The further plans submitted since the application was presented to 4th September supplement those already presented and add further detail specifically on the access arrangements for residents of Epworth Street and for visitors to the service yard, flats and offices on Epworth Street elevation. It is considered that they are of sufficient detail to clearly show the relationship of the different entrances on the Epworth Street elevation to each other and the detailed design of these entrances. The Access Officer has viewed the newly submitted details and subject to confirmation and agreement of the details in conditions 12 and 14 (wheelchair access and security lighting) has not raised any objection to the plans.
- 4.28 From a security viewpoint, elimination of the undercroft areas, which are shaded, confusingly laid out and allow for people to be easily concealed, is a welcome addition. The proposed layout will more clearly delineate private and public space and allow the parking/servicing area to be carefully managed through the presence of service yard operatives within office hours and the addition of secure gates which would be closed overnight. Entry at night-time will be for residents and visitors of 10 Epworth Street with access

by fob which is an improvement on the existing unregulated situation. Security lighting will be required by virtue of Condition 14 in order to ensure that the routes across the service yard and at the service yard entrance and the main flats entrance are well lit to create a safe environment.

- 4.29 In addition, the removal of the existing recess which gives access to the flats of 10 Epworth Street, will remove the opportunity for persons to be concealed at this entrance and to provide a uniform building line giving immediate, clear and unobstructed views of Epworth Street when a person exits that building. These physical changes along with the incorporation of additional security features (use of glazing panels on doors, security lighting, fob entry system) are considered to improve the level of security for users of the building in comparison to the existing arrangement.
- 4.30 As a result of amended details being received the following plans should be added to/supersede the relevant plans in the Condition 2 of the previously recommended conditions. This will ensure that the measures within the servicing strategy can be safeguarded.

Servicing and Parking Diagram Revision B; Accessible Parking Spaces 3001; Accessible Entrances Diagram; 2002 Rev.D; 2001 Rev.A; 2000 Rev.A; 22012 Rev.A; 2200 Rev.A; 2102 Rev.A; Integrated Planning Brochure Revision E; Service Strategy and Management Plan Framework version 4.0

- 4.31 In order to accord with the Servicing strategy details (specifically that there will be on-site management between 7am and 7pm) it is intended at Condition 23 be amended so that servicing will only occur between 08:00 and 19:00pm.

Small Sites

- 4.32 Since the application was originally presented to Committee in September, the Government has introduced a new section to the National Planning Practice Guidance (NPPG) as a result of a Ministerial Statement in November (effective from the 1st December) which has an impact on the ability of local authorities to charge 'affordable housing and tariff-style section 106 contributions' from developments of ten or fewer dwellings, and which have a combined gross floorspace of less than 1,000sqm.
- 4.33 Islington currently requires developments of nine or fewer dwellings to make a financial contribution to off-site affordable housing in lieu of on-site provision. This is secured through an SPD, which implements Core Strategy policy CS12, part G. The Core Strategy is part of our Development Plan along with Development Management Policies, the Finsbury Local Plan and the London Plan.
- 4.34 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. This legislation has not been changed. NPPG is not legislation, but it is a material consideration in determining a planning application.

- 4.35 The original Committee report (attached in Appendix 2) details at para. 10.28 and 10.29 that the proposal would result in a net increase of five residential units at the site with the applicant agreeing to pay the full £300,000 contribution towards off-site provision of affordable housing in accordance with the requirements of policy CS12 and the Islington Affordable Housing Small Sites Contributions SPD, which requires a contribution of £60,000 per new residential unit created (net).
- 4.36 Having taken legal advice, Islington officers are of the view that the guidance does not outweigh the development plan and that the small sites contribution is not a disproportionate burden on development of sites in the borough. The agreed offer of £300,000 from the applicants is therefore unchanged.

5 SUMMARY AND CONCLUSION

Summary

- 5.1 Members had requested a deferral of the application to enable further submission of plans and details that would address concerns over the potential for conflict within the service yard and concerns over the quality of the elevations to Epworth Street. It is considered that the submission of details and explanatory information has provided sufficient details for a determination to be made. The additional information has been examined by officers and is considered acceptable and reasonable. In addition, members of the Committee have been able to go on site and view the current arrangements.
- 5.2 It is considered that the additional information does not raise any further new issues and therefore the summary and conclusion to the original report remains unchanged. The new servicing layout would provide a policy compliant on-site servicing arrangement, laid out in a manner that would provide safe routes and delineation of pedestrians and wheelchair users from vehicles.
- 5.3 The dwelling mix proposed and the standard of the proposed new residential accommodation are both considered to be acceptable. The applicant has agreed to pay £300,000 towards the off-site provision of affordable housing elsewhere in the borough in line with the Small Sites Affordable Housing SPD.

Conclusion

- 5.4 It is recommended that planning permission be granted subject to conditions 2, 12 and 23 as amended above and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS of the original report presented to members on the 4th September 2014 (attached as Appendix 2 to this report).

APPENDIX 1 – 4th September 2014 Planning Committee Minutes

APPENDIX 2 – Report to 4th September 2014 Planning Committee

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Planning Committee - 4 September 2014

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 4 September 2014 at 7.30 pm.

Present: **Councillors:** Khan (Chair), Klute (Vice-Chair), R Perry (Vice-Chair),
Chowdhury, Fletcher, Gantly, Kay, Nicholls, Picknell
and Poyser
Also **Councillor:** Webbe
Present:

Councillor Robert Khan in the Chair

- 26** **INTRODUCTIONS (Item A1)**
Councillor Khan welcomed everyone to the meeting. Members of the Committee and officers introduced themselves.
- 27** **APOLOGIES FOR ABSENCE (Item A2)**
There were no apologies for absence.
- 28** **DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**
There were no declarations of substitute members.
- 29** **DECLARATIONS OF INTEREST (Item A4)**
There were no declarations of interest.
- 30** **ORDER OF BUSINESS (Item A5)**
The order of business would be Item B3, B1 and B2.
- 31** **MINUTES OF PREVIOUS MEETING (Item A6)**
RESOLVED:
That the minutes of the meeting held on 22 July 2014 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.
- 32** **5-11 WORSHIP STREET, LONDON, EC2A 2BH (Item B1)**
Proposed use of the building within the sui generis use class, comprised of office at lower ground, ground, first and fifth floors and office or private education at second, third and fourth floors.

(Planning application number: P2014/1761/FUL)
RESOLVED:
That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between The Council and all persons with an interest in the land (including mortgagees) in order to secure the planning obligations contained within Recommendation A of the officer's report and subject to the conditions and informatives within the officer's report.

33

CITY NORTH ISLINGTON TRADING ESTATE, FONTHILL ROAD AND 8-10 GOODWIN STREET, ISLINGTON, LONDON, N4 (Item B2)

Variation of Condition 2 (approved plans) of planning permission reference: P092492 dated 19 November 2010 that granted demolition of existing buildings and the construction of a mixed use development comprising two 21 storey buildings; a 10 storey building; and 3 storey building for 355 residential dwellings (use class C3); 2,172sqm (GEA) of office floor space (use class B1); 436sqm (GEA) of restaurant and café floor space (use class A3); 9,665sqm (GEA) of flexible floor spaces for uses within use classes A1-A4 and/or gym (use class D2) and/or including up to 2,000sqm (GEA) of office floor space (B1 use class) at first floor only; together with associated disabled and car club parking spaces, cycle spaces, storage, associated access, public realm and private and public and public amenity space. The amendments propose to amend the external elevations of the proposed buildings including alterations to the top three floors of the towers, increase in lift shaft width from 4.4m to 4.95m, creation of a new western station entrance to Finsbury Park Station and step free access to station platforms, the re-arrangement of the consented uses at basement, ground, first and second floors with no alterations to the consented floor space figures, along with associated amendments to access arrangements.

(Planning application number: P2014/0782/S73)

The planning officer explained that Condition 49 should be reworded to read, 'Notwithstanding the drawings hereby approved, a revised ground floor layout and elevation shall be submitted to and approved in writing by the Local Planning Authority prior to the fit out of the station ticket hall. The ground floor layout shall be accompanied by details of the:

- a) the design details and layout of the station ticket hall including elevations of the entrance; and
- b) increased provision of public toilet facilities included in the detailed layout of the new station ticket hall.

The revised ground floor layout of the station ticket hall shall not obstruct access to 'Passageway 4' as identified on Drawing No: A_- 20_P00 Revision Y.

The revised ground floor layout shall be provided and carried out strictly in accordance with the details so approved shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority until such a time that the land becomes operational land and the provision of the TCP (General Permitted Development Order) 1995 may apply.

REASON: In order to secure details of the revised ground floor layout, including the provision of public toilet facilities and the design detail and layout of the new station ticket hall and entrance.'

The planning officer stated that Condition 1 should be reworded as follows to reflect up to date submitted plans:

'CONDITION: The development hereby approved is comprised of the following drawings and documents:

E_SP_A_DR_101/00; E_SP_A_DR_102/00; E_LG_A_DR_101/00;
E_LM_A_DR_102/00; E_UG_A_DR_103/00; E_UM_A_DR_104/00;
E_1_A_DR_105/00; E_2_A_DR_106/00; E_3_A_DR_107/00; E_R_A_DR_108/00;
M_SP_A_DR_101/00; A_- 90_01; T_- 20_P-1 V; T_- 20_P00 Y; T_- 20_P01;
T; T_- 20_P02 U; A_- 20_P03-N; A_- 20_P04-M; A_- 20_P05-L; A_- 20_P06-
M; A_- 20_P07- L; A_- 20_P08-K; A_- 20_P09- K; A_- 20_P10-L; A_-
20_P11-K; A_- 20_P12- K; A_- 20_P13-K; A_- 20_P14- K; A_- 20_P15-
K; A_- 20_P16-K; A_- 20_P17-K; A_- 20_P18-K; A_- 20_P19-K; A_-
20_P20-K; A_- 20_P21-K; A_- 20_P22- K; A_- 20_P23-E; D2052-FBK-XX-00-
DR-L-0200D; E_S_A_DR_201/00; E_S_A_DR_202/00; E_S_A_DR_203/00; T_-

Planning Committee - 4 September 2014

_20_S200 C; T_-20_S201 C; T_-20_S202 C; T_-20_S203 C; T_-20_S204 C; T_-20_S205 C; T_-20_S206 E; T_-20_E100 F; T_-20_E101 F; T_-20_E102 F; T_-20_E103 F; A_A_70_S_T02 E; A_A_70_1B_T01 D; A_A_70_1B_T01a C; A_A_70_1B_T03 E; A_A_70_1B_T04 E; A_A_70_1B_T05 E; A_A_70_1B_T06 E; A_A_70_1B_T07 D; A_A_70_1B_T08 F; A_A_70_2B_T01 F; A_A_70_2B_T02 F; A_A_70_2B_T03 D; A_A_70_2B_T04 D; A_A_70_2B_T05 E; A_A_70_2B_T05a C; A_A_70_2B_T07 D; A_A_70_2B_T08 G; A_A_70_2B_T09 F; A_A_70_2B_T10 G; A_A_70_2B_T11 E; A_A_70_2B_D01L E; A_A_70_2B_D01U E; A_A_70_3B_T01 E; A_A_70_3B_D01L G; A_A_70_3B_D01U G; A_A_70_3B_D02L F; A_A_70_3B_D02U E; A_A_70_4B_T01 D; A_B_70_1B_T01 E; A_B_70_1B_T02 F; A_B_70_1B_T03 F; A_B_70_1B_T04 F; A_B_70_2B_T01 F; A_B_70_2B_T02 E; A_B_70_2B_T03 F; A_B_70_2B_T04 F; A_B_70_2B_T05 E; A_B_70_2B_D01L E; A_B_70_2B_D01U E; A_B_70_2B_D02L E; A_B_70_2B_D02U E; A_B_70_2B_D04L C; A_B_70_2B_D04U C; A_B_70_3B_T01 D; A_B_70_3B_T02 E; A_B_70_3B_D01L F; A_B_70_3B_D01U E; A_B_70_3B_D02L E; A_B_70_3B_D02U D; A_C_70_S_T01 E; A_C_70_S_T02 E; A_C_70_1B_T01 E; A_C_70_1B_T01a C; A_C_70_1B_T01b C; A_C_70_1B_T02 D; A_C_70_1B_T03 E; A_C_70_2B_T01 D; A_C_70_2B_T01a C; A_C_70_2B_T08 E; A_C_70_2B_T09; A_C_70_2B_T10; A_C_70_2B_D01L E; A_C_70_2B_D01U E; A_C_70_2B_D01A D; A_C_70_2B_D01Au D; A_C_70_3B_T01 E; A_C_70_3B_T01a D; A_C_70_3B_T01b D; A_C_70_3B_T01c A; A_C_70_3B_T02 E; A_C_70_3B_T04 F; A_C_70_3B_T05 G; A_C_70_3B_T06 E; A_C_70_3B_T07 F; A_C_70_3B_T08 E; A_C_70_3B_T09 C; A_C_70_3B_T10; A_C_70_3B_D01L F; A_C_70_3B_D01U F; A_C_70_4B_D01L G; A_C_70_4B_D01U H; A_C_70_1B_A01 D; A_C_70_2B_A01 D; A_C_70_2B_A01a A; A_C_70_2B_A02 D; A_C_70_2B_A03 C; A_C_70_2B_A04; A_C_70_2B_A05; A_C_70_2B_A06; A_C_70_2B_A07 A; A_C_70_3B_A09 A; A_C_70_3B_A10; A_C_70_4B_A03 A; A_C_70_4B_A03a A; A_C_70_4B_A03b A; A_C_70_4B_A03c A; A_C_70_4B_A04W A; A_C_70_4B_A04Aw A; A_C_70_4B_A05 A; A_C_70_4B_A05a A; A_D_70_4B_A01W A; A_D_70_4B_A03; A_D_70_4B_A04; A_D_70_5B_A01 C; A_D_70_5B_A02 C; A_D_70_5B_A05 C; **5181-RJ-PL-SC6-APP-B: rev B**; Addendum to Section 6 - Appendix B: West Elevation to Fonthill Road Colour Elevation; East Elevation to Finsbury Park Colour Elevation; North Elevation to Wells Terrace Colour Elevation South Elevation Colour Elevation; **5181-RJ-PL-SC6-APP-C: rev B**; Addendum to Section 6 - Appendix C: View Looking East along Wells Terrace from the junction of Fonthill Road and Wells Terrace Colour Cgi; View looking West along Wells Terrace Colour Cgi; View looking North along Isledon Road Colour Cgi; View of garden terrace overlooking the new North/South route Colour Cgi; City North Finsbury Park Environmental Impact Assessment Non - Technical Summary, dated November 2009; City North Finsbury Park Environmental Impact Assessment Volume 1; 2 and 3, dated November 2009; Design and Access Statement, dated November 2009; Planning Statement, dated November 2009; Transport Assessment, Issue 1, dated 23/11/2009; Travel Plan, Issue 2, dated 27/11/2009; Management Strategy, dated November 2009; Retail Assessment, dated November 2009; Consultation Statement, dated November 2009; Viability Report, ref: JGK/cf01/02A935691, dated 27/11/09; Ecology Assessment, ref: ECO1838.EcoAs.vf, dated November 2009; Arboricultural Assessment, dated November 2009; and Sustainable Design and Construction Statement, dated November 2009 [LBI Reg: 24922]; City North Draft Heads of Terms [LBI Reg: 24923]; Cover letter, dated 26 January 2010 with Disabled Parking at Car Free Developments Technical Note ref: 16636-01-1, dated 13/01/2010 [LBI Reg: 24924]; City North Addendum to the Townscape, Built Heritage & Visual Assessment, dated 22/02/10 [LBI REG: 24925]; Design and Access Statement – Addendum, dated February 2010; and Cover letter, dated 9 March with Table of Response; Technical Note – Response to transport and highway comments, ref: 16636-01-1, dated 24/02/2010 [LBI Reg: 24926]; Cover letter

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- Housing Mix by Units, dated 16 March 2010 [LBI Reg: 24927]: Cover letter – GLA
REF: PDU/1810a/MA06, dated 18 March 2010 [LBI Reg: 24928]: Cover letter -
Housing Mix by habitable room, dated 18 March 2010

In the discussion the following point was made:

- Regular discussions had taken place between design officers and the applicant's team and the design of the scheme had been amended accordingly.

RESOLVED:

That planning permission be granted subject to any direction by the Mayor to refuse the application or for it to be called in for determination by the Mayor of London, subject to the prior completion of a Deed of Variation to the existing legal agreement of Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between The Council and all persons with an interest in the land (including mortgagees) in order to secure the planning obligations contained within Recommendation B of the officer's report and subject to the conditions and informatives within the officer's report.

34

ZIMCO HOUSE, 16-28 TABERNACLE STREET AND 10-14 EPWORTH STREET, LONDON, EC2A 4LU (Item B3)

Refurbishment and extensions to the existing building comprising: demolition of existing rear two storey courtyard part of building including former caretaker's flat; demolition of existing fourth floor plant room on Bonhill Street; erection of rear infill extension at ground to fourth floor level; erection of fourth and fifth floor level roof extension along Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with internal reconfiguration; and change of use of the basement (1,778sqm) from B8 distribution warehouse to B1 office. The extensions would provide 2,503sqm of new B1 office accommodation (total 8,578sqm of B1 office floorspace) and the provision of six new residential flats with front terraces at fifth floor level, comprising one x three-bedroom flat and five x two-bedroom flats.

(Planning application number: P2014/1103/FUL)

In the discussion the following points were made:

- Residents with disabilities lived at 10 Epworth Street. Members could take this into account when considering residential amenity.
- The car parking arrangements were considered.
- Concern was raised about the servicing arrangements for the offices and in particular the impact on the residents of 10 Epworth Court. A detailed construction management plan would be required if permission was granted.
- The impacts on daylight and sunlight to neighbouring properties was limited.
- Concern was expressed regarding a lack of clarity in relation to the new residents' entrance.
- Concern was expressed about the level of detail in the plans.

Councillor Klute proposed a motion to defer the consideration of the application. This was seconded by Councillor Chowdhury and carried.

RESOLVED:

That consideration of the application be deferred to enable the applicant to provide more detailed information and drawings in particular in relation to the proposed improvements to the entrance to 10 Epworth Street, to enable members to make a site visit and to obtain further information of better quality and detail in relation to the existing and proposed servicing arrangements for the site, in particular in relation to potential pedestrian/cyclist/vehicle conflicts.

35 **PLANNING ENFORCEMENT AND APPEAL PERFORMANCE: FIRST QUARTER
2014/2015 (Item C1)**

RESOLVED:

That the report be noted.

The meeting ended at 9.05 pm

CHAIR

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department

PLANNING COMMITTEE	
Date:	04 September 2014

Application number	P2014/1103/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Adajcent to LLB – 30 Tabernacle Street / 8 Epworth Street; Opposite LLB – 1 Bonhill Street
Conservation area	Adjacent to Bunhill Fields & Finsbury Square CA
Development Plan Context	Central Activities Zone; Bunhill & Clerkenwell Key Area; City Fringe Opportunity Area; Employment Priority Area (Offices); Moorfields Archaeological Priority Area
Licensing Implications	None
Site Address	Zimco House, 16-28 Tabernacle Street & 10-14 Epworth Street, Islington, London EC2A 4LU
Proposal	Refurbishment and extensions to the existing building comprising: demolition of existing rear two storey courtyard part of building including former caretaker's flat; demolition of existing fourth floor plant room on Bonhill Street; erection of rear infill extension at ground to fourth floor level; erection of fourth and fifth floor level roof extension along Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with internal reconfiguration; and change of use of the basement (1,778sqm) from B8 distribution warehouse to B1 office. The extensions would provide 2,503sqm of new B1 office accommodation (total 8,578sqm of B1 office floorspace) and the provision of six new residential flats with front terraces at fifth floor level, comprising one x three-bedroom flat and five x two-bedroom flats.

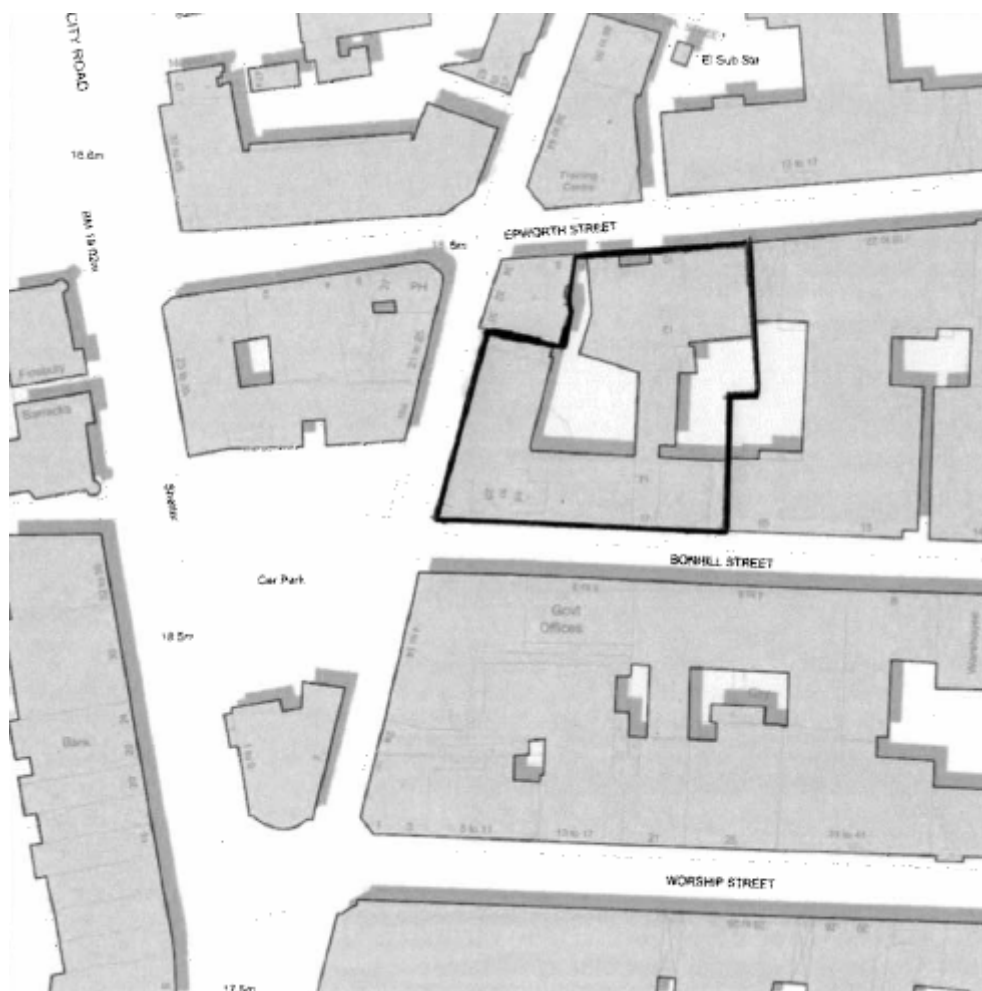
Case Officer	Ben Dixon
Applicant	Lawnpond LLP
Agent	Rolfe Judd

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



Image 1: Tabernacle & Bonhill Street elevations.



Image 2: Epworth Street elevation.



Image 3: Courtyard facing elevations to rear of Tabernacle Street & Bonhill Street.



Image 4: Rear courtyard facing elevation of 10 Epworth Street with first floor terrace garden.

4

SUMMARY

- 4.1 It is proposed to undertake wholesale refurbishment and remodelling of the existing office building, including infilling the existing open ground floor undercroft on Bonhill Street and Tabernacle Street and infilling the central courtyard. The proposal includes the erection of rear courtyard and roof level extensions, in order to provide an updated employment-led (office) mixed use development at the site. The proposal would provide 2,503sqm of new B1 office accommodation (a total of 8,578sqm of high quality office floorspace including the refurbished existing commercial floorspace) and six new residential flats for private market sale.
- 4.2 The proposed employment (office) led mixed use development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.
- 4.3 The proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition. It is considered that the proposal which would update the existing out-dated office building would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 4.4 The dwelling mix proposed and the standard of the proposed new residential accommodation are both considered to be acceptable. The applicant has agreed to pay £300, 000 towards the off-site provision of affordable housing elsewhere in the borough in the line with the Small Sites Affordable Housing SPD.
- 4.5 The proposal would result in the cessation of the existing B8 courier distribution use which currently operates from the basement at the site, therefore resulting in a significant reduction in the number of vehicular trips associated with the operation of the site. Subject to the control of serving via conditions it is not considered that the proposal would have an adverse impact on the highway safety or the operation of surrounding highways. The office development and new residential units would be car-free. The existing eight on-site parking spaces for residents of the existing flats at 10 Epworth Street would be retained for use by these residents within the development.
- 4.6 The proposed development would have some negative impact on the amenity of some neighbouring residential occupiers of flats at 10 Epworth Street, chiefly due to reduced winter sunlight, and the potential for increased noise and disturbance from servicing. However, subject to conditions to secure obscurely glazed courtyard facing windows that are fixed shut, the provision of adequate sound insulation between the servicing yard and the flats, and the appropriate control of hours of servicing, it is not considered that the proposed

development would result in such harm to the amenity of neighbouring residential occupiers so as to warrant refusal of the application.

- 4.7 The proposal is considered to accord with the relevant policies contained in the Islington Development Plan and national guidance provided in the NPPF. The proposal is supported by officers with a recommendation that planning permission should be granted, subject to conditions and the completion of a section 106 legal agreement.

5 SITE AND SURROUNDING

- 5.1 The site is located within the Bunhill ward with frontages onto the east side of Tabernacle Street, the north side of Bonhill Street and the south side of Epworth Street. The site covers an area of 0.271 hectares and is roughly a square shape (but excludes the building at the corner of Tabernacle Street and Epworth Street – 30 Tabernacle Street / 8 Epworth Street).
- 5.2 The site is occupied by a 1970/80s part four, part five storey perimeter block building, with an open undercroft at ground floor level along Bonhill Street and Tabernacle Street, and an open central courtyard which is bisected by a two storey element, that includes the former caretaker's flat (known as Flat 20, 10 Epworth Street). The building is constructed with a concrete frame, clad in brown facing brickwork with brown aluminium windows.
- 5.3 The L-shaped section of the building which fronts Bonhill Street (to the south) and Tabernacle Street (to the west) is five storeys high along Bonhill Street and four storeys high along Tabernacle Street. This section of the building comprises B1 office accommodation (4,297sqm) on the first to third floors accessed by a ground floor reception at the corner of Tabernacle Street and Bonhill Street. The fourth floor section of the building along Bonhill Street is a plant room.
- 5.4 The section of the building which fronts Epworth Street to the north of the site (known as 10 Epworth Street) is five storeys high and comprises 19 residential flats on the first to fourth floor. The applicant is the freeholder of this building, but the flats are let and managed by Habinteg Housing Association on a long leasehold basis. On the south side (rear) of this part of the building is a single storey element that projects into the central courtyard. This provides a first floor level communal terrace garden for residents of the flats at 10 Epworth Street. The flats are accessed via a dedicated entrance on Epworth Street.
- 5.5 Below the majority of the site is a large basement which is currently used as a B8 distribution warehouse (1778sqm) for a courier firm. The area of central courtyard to the west of the former caretaker's flat is currently unused, while the area to the east is used to provide informal parking for residents of 10 Epworth Street and commercial occupiers, including vehicles associated with the basement level courier firm. The parking area has vehicular access from both Bonhill Street and Epworth Street.

- 5.6 The site is well served by public transport being located close to Old Street underground station and numerous frequent bus services. The site has a PTAL rating of 6b (the highest rating).
- 5.7 The site is located within: the Central Activities Zone; the Bunhill & Clerkenwell Key Area; the City Fringe Opportunity Area; an Employment Priority Area (Offices); and the Moorfields Archaeological Priority Area.
- 5.8 The site is not located within a conservation area. However, the site lies within a sensitive location, being within 70m of the enclave of historic buildings grouped around the grade I listed Wesley's Chapel to the northwest, reasonably close to the grade II listed Lowndes House (1 City Road) and the locally-listed Triton Court (Finsbury Square), and adjacent to the Bunhill Fields / Finsbury Square Conservation Area.
- 5.9 The area surrounding the site is predominantly commercial in character. Adjoining the east of the site is a large six/seven storey double fronted office building which fronts onto both Bonhill Street and Epworth Street. Adjoining the northwest of the site, at the corner of Tabernacle Street and Epworth Street, is a six storey locally listed office building (30 Tabernacle Street / 8 Epworth Street). To the south of the site on the opposite side of Bonhill Street are three, four and five storey commercial buildings which provide office accommodation and conference/training facilities. To the west of the site on the opposite side of Tabernacle Street is the large eight storey double fronted Travelodge hotel (that has street frontages onto Tabernacle Street and City Road), together with a five storey office building. To the north of the site on the opposite side of Epworth Street are four storey office buildings.

6 PROPOSAL (IN DETAIL)

- 6.1 This application is seeking planning permission for wholesale refurbishment and remodelling of the existing office building, including infilling the existing open ground floor undercroft on Bonhill Street and Tabernacle Street and infilling the central courtyard. The proposal includes the erection of rear courtyard and roof level extensions, in order to provide an updated employment-led (office) mixed use development at the site.
- 6.2 It is proposed to remove the existing facing brickwork and windows to the front and rear elevations of the L-shaped part of the building which fronts Bonhill Street and Tabernacle Street. These elevations would be remodelled with larger windows and reconstructed using attractive high quality brickwork with frameless glazing set within deep reveals.
- 6.3 The proposed works include demolition of the existing two storey section of the building, which bisects the internal courtyard and includes the former caretaker's flat; and demolition of the existing fourth floor plant room on the southern Bonhill Street part of the L-shaped building.
- 6.4 It is proposed to infill the existing open ground floor undercroft within the L-shaped building along Bonhill Street, Tabernacle Street, together with the central courtyard, in order to create useable employment space and to provide active ground floor street frontages.

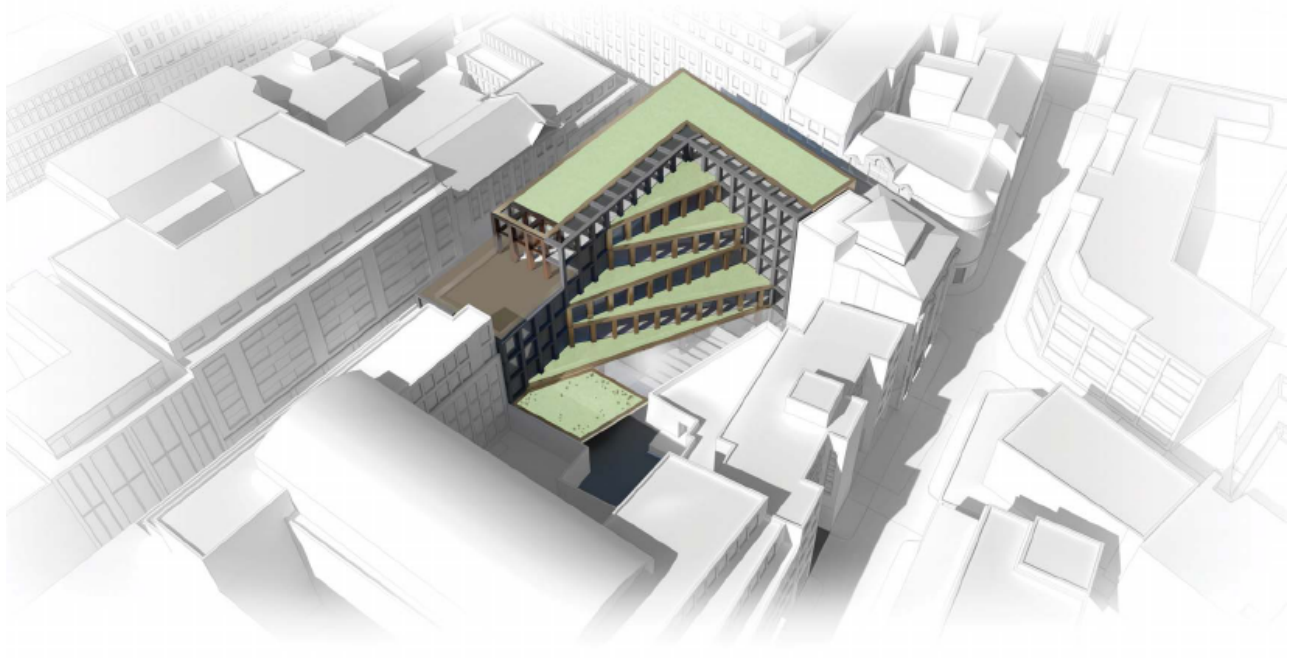


Image 5: Visualisation of proposed courtyard stepped rear infill extension

- 6.5 It is proposed to erect a new graduated rear infill extension (within the west side of the existing open central courtyard), which steps down from five storeys closest to the south (Bonhill Street) part of the L-shaped building, to a single storey, as it crosses the internal courtyard to meet the edge of the existing single storey projection to the rear of 10 Epworth Street (that provides a first floor terrace garden for residents). The infill extension would be clad in brushed bronze, with green roofs provided at each level as the extension steps down.
- 6.6 It is also proposed to erect a fourth and fifth floor level roof extension above the L-shaped part of the building. This extension would replace the existing fourth floor plant room on Bonhill Street, which is to be demolished. The top (fifth) floor of the roof extension would be set back from the street elevations and would be clad in brushed bronze. The roof extension on the Bonhill section of the building would be 3.3m higher than the existing fourth floor plant room, and on Tabernacle Street the building height would be increased by 6.7m.
- 6.7 The roof of the extension would accommodate a green roof, PV panels (to the corner of Bonhill Street and Tabernacle Street) and a site for plant (to the north end of the Tabernacle Street part of the building). The proposed roof extension would not cover the full length of the Bonhill Street elevation as it is set in from the west end of the site by 12.1m. A communal terrace for use by all residents of the new flats would be provided on the existing roof to the west of the roof extension at fourth floor level.



Image 6: Visualisation of proposed roof extension

- 6.8 The remaining existing floorspace within the building would be completely remodelled and reconfigured, with a change of use of the basement from a B8 distribution warehouse to provide additional B1 office accommodation. The remodelling, change of use of the basement and extension of the existing building would provide a total of 8,578sqm of high quality 'grade A' flexible B1 office accommodation across the ground to fifth floor. This represents an uplift of 2,503sqm of new B1 office floorspace and an additional 1,778sqm provided as result of the change of use of the basement (a total of 4,281sqm of additional B1 office accommodation). The main office entrances would be on Bonhill Street and at the corner of Tabernacle Street and Bonhill Street.
- 6.9 The proposal would provide six new residential flats with front terraces at fifth floor level within the roof extension on the L-shaped section of the building along Bonhill Street and Tabernacle Street. The residential units comprise one x three-bedroom flat and five x two-bedroom flats, which would all be for private market sale.
- 6.10 Ground floor alterations are proposed to the Epworth Street elevation of the site. These comprise the installation of flush structural glazing to block off the existing recesses, and installation of decorative brushed bronze sliding gates at the vehicular entrance to the car park. New separate entrances to the existing flats at 10 Epworth Street, the proposed new flats, and the offices would be provided within the new structural glazing. No other changes are proposed to the building at 10 Epworth Street.
- 6.11 It is proposed that the existing vehicular access from Epworth Street would be retained along with the associated existing internal car park. This space would also be used for servicing and to provide cycle parking for the office development.

7 RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 Planning permission (ref: 841437) was granted in 1984 for '*Use of part basement (7,750sq.ft.) for mixed industrial and warehousing use*'.
- 7.2 Planning permission (ref: 851866) was granted in 1986 for '*Change of use of 1st and 2nd floors of eastern end of Bonhill Street block (totalling 4809sqm) from permitted Class B8 (warehouse and distribution) use to use for purposes within Class B1a (offices) and B1b (research and development) in connection with the existing Class B1a and B1b use on the remainder of those two floors*'.
- 7.3 Planning permission (ref: 881826) was granted in 1989 for '*Change of use of part of the basement (650sq.m.) from light industrial use to warehouse use (B8)*'.
- 7.4 Planning permission (ref: P020221) was granted in 2003 for '*Change of use of basement premises to a fitness centre (Class D2) with new entrance onto Tabernacle Street together with erection of a single storey cafe/restaurant (Class A3), transformer station and rearrangement of existing office reception area at ground floor level within existing undercroft*'. However, this permission expired without being implemented.
- 7.5 Planning permission (ref: P102802) was refused in May 2012 for an application proposing '*Mixed use development consisting of ground floor office (class B1) and Restaurant (class A3) infill. Two storey roof top extension incorporating office (class B1) and Residential, (three x 2 bed flats, three x3 bed flats and one x 4 flat bed flat) (Class C3), and incorporation of new plant*'. The application was refused for two reasons:

Reason 1: The proposed two storey roof extension, which would lie to the south of its neighbour on Epworth Street, may have a serious material impact on daylight and sunlight to those properties, and without an objective daylight and sunlight analysis, should therefore be refused as being contrary to policy D3 of the Unitary Development Plan 2002.

Reason 2: The applicant has not agreed to any heads of terms sought by the local planning authority and therefore the proposed development fails to adequately mitigate the possible impacts and additional pressure that the development could introduce on local infrastructure. In the absence of this agreement, the proposal fails to comply with the NPPF (2012), Community Infrastructure Levy Regulations (2010), London Plan (2011) policies:5.10 (C),3.6 (A), 5.3, 6.1,6.5 6.7, 6.10, 6.13, 7.1 (C), 8.2 ; Islington's Core Strategy (2011) policies: CS7, CS10, CS12, CS13, CS14, CS15, CS16, CS17, and CS18; Islington UDP (2002) policy: Imp13 and the Islington Planning Obligations SPD (2009).

PRE-APPLICATION ADVICE:

- 7.6 The applicant submitted details of a proposed development scheme for pre-application discussion (ref: Q2013/2419/MJR) in July 2013 prior to formal

submission of this current application. The proposal put forward for pre-application discussions comprised '*Reconfiguration and refurbishment of existing building to provide additional floorspace, recladding of existing building, and erection of 2 additional storeys to provide 9 residential units.*'

In summary, the applicant was advised that: 'Redevelopment of the site is considered acceptable in principle, and is welcomed. The site's existing building, due to its inactive frontages, open undercroft areas, inappropriate materials and rather dated appearance, is harmful to the setting of the adjacent conservation area, and redevelopment provides an opportunity to improve the streetscape of Tabernacle Street and Bonhill Street. There are also opportunities to address existing anti-social behaviour problems that exist at this site. The reconfiguration of the interior of the building – enabling an increase in useable office floorspace – is welcomed in principle, as is the introduction of a residential use to the existing office building.'

It has been adequately demonstrated that the proposed addition of 2 storeys to the existing building would sit comfortably within the townscape of Tabernacle Street, and would not unacceptably obstruct or crowd views of listed and locally-listed buildings and the roofscape of Finsbury Square to the south. However, the acceptability of the additional storeys will, of course, also be subject to officers' consideration of the forthcoming daylight and sunlight assessment.'

8 CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 177 adjoining and nearby properties at Bonhill Street, Tabernacle Street, Epworth Street, City Road, Platina Street, Paul Street, and Clere Street on 02 May 2014. A site notice was displayed and press advert was published on 08 May 2014. The public consultation on the application therefore expired on 29 May 2014. However, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 15 responses had been received from existing residential occupiers at the site (at 10 Epworth Street) objecting to the application. These included 2 individual letters of objection and 13 standardised letters of objection. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Loss of light to habitable rooms as a result of the proposed roof extension (10.60-10.67);
 - Loss of light / overshadowing of the roof terrace garden as a result of the proposed roof extension (10.68-10.69);
 - Loss of outlook as a result of the proposed roof extension (10.73);

- Increased sense of enclosure as a result of both the roof extension and courtyard extension (10.73);
- Noise and disturbance from delivery and servicing vehicles at the proposed Epworth Street vehicular entrance to the site below 10 Epworth Street (10.74-10.78);
- Loss of privacy due to increased overlooking of living rooms and bedrooms from the proposed courtyard extension (10.70-10.72);
- Increased noise and disturbance and loss of privacy from office workers hanging out of courtyard facing windows to make phone calls or smoke (10.70-10.72);
- Loss of TV reception as a result of the proposed roof extension (10.77);
- Loss / reduction of existing private off-street car parking for residents (10.45); and
- Noise, disturbance and dust from building works (10.77).

External Consultees

- 8.3 **Transport for London (TfL)** – No objection, subject to payment of a S106 contribution of £350,420 towards provision of Crossrail; and provision of adequate level of cycle parking which complies with policy.
- 8.4 **London & Middlesex Archaeological Society** – support the proposal.
- 8.5 **English Heritage** – the application should be determined in line with national and local policy guidance.
- 8.6 **English Heritage GLAAS** – The proposal is unlikely to have a significant effect on heritage assets of archaeological interest, due to the minimal impact on the ground proposed. Therefore, no archaeological conditions or further desk based assessments are required.
- 8.7 **Met Police Crime Prevention Design Advisor** – No objection.
- 8.8 **London Fire & Emergency Planning** - No objection.
- 8.9 **Thames Water** – No objection.
- 8.10 **Council for British Archaeology** – No response received
- 8.11 **Emily Thornberry MP** – Expressed an interest in the proposed development and requested further information with respect to affordable housing provision and the scale of the proposed extensions.

Internal Consultees

8.12 Design & Conservation Officer – No objection

A convincing case has been put forward with regards to how the proposed massing of the extensions has been developed. The submitted drawings demonstrate that the proposed roof extension would sit comfortably within the townscape of Tabernacle Street and would not unacceptably obstruct or crowd views of nearby listed and locally listed buildings and the roofscape of Finsbury Square to the south.

The development of the undercroft area, which is currently an unsightly space, is welcomed. The use of an ornamental brushed bronze gate will offer an elegant and interesting solution to the access.

The design concept has picked up on the historic industrial / commercial character of the area with an elegant contemporary finish to it. Therefore, there are no objections raised with regards the general design approach and choice of materials subject to relevant conditions to ensure high quality is followed through at the implementation stage.

8.13 Energy Officer – A CO2 offsetting contribution of £66,937 (calculated based on the additional floorspace to be created), a Green Performance Plan, and a commitment to connect to the Citigen network should be secured by S106 agreement. Overheating modelling and information regarding cooling hierarchy needs to be secured by condition.

8.14 Transport Planning Officer – No objection subject to highways improvement works to be secured under S278 agreement and a contribution of £125,000 towards public realm improvements to be secured via S106 agreement.

8.15 Policy Team

The principle of office use is supported in this location. Policy CS13 encourages new business floorspace within the CAZ, while CS7 identifies employment-led development will largely be concentrated to the south of Old Street/Clerkenwell Road. Employment growth associated with additional office space is supported in the City Fringe Opportunity Area as identified in the London Plan.

Finsbury Local Plan policy BC8, seeks to secure the maximum amount of business floorspace reasonably possible on the site with the proportion of B1(a) floorspace optimised. An uplift of 2503m² of B1(a) space is supported by the above policies.

The proposals acknowledge the poor design of the existing undercroft area and introduce ground floor frontages which can be considered to improve the buildings relationship with the streetscape, in line with the aims of policy BC8.

As the site falls within the CAZ the mixed-use policy applies. The proposal will provide residential accommodation on site, comprising greater than 20% of

the total net increase in office space therefore complying with policy BC8, part D. Policy BC8, part I, encourages full separation of business and residential floorspace. This appears to be the case with the residential on a separate floor.

Minor residential developments should be informed by the housing mix identified in the Development Management Policies. Table 3.1 (associated with DM3.1) highlights that in market housing the focus is on the provision of 2-bed units which is what this proposal will predominantly provide. Consistent with DM3.4 and table 3.2 the minimum space standards for the units in terms of GIA have been met, as have minimum room areas required by table 3.3.

It appears that five of the 6 units are single aspect. Policies CS9 and DM3.4 are clear that dual-aspect units should be provided unless exceptional circumstances can be demonstrated. The units meet the private amenity space requirements of DM3.5.

As there is one existing unit on site, the development will lead to 5 net additional units. Consistent with policy CS12 and the Affordable Housing – Small Sites Contributions SPD it is understood that the applicant is willing to pay the full £60,000 for each additional unit. This should be secured through a S106 agreement.

- 8.16 **Waste Management Team** – The proposed arrangements for refuse and recycling storage and collection are acceptable.
- 8.17 **Sustainability Officer** – Commitment to achieve: BREEAM Excellent and CFSS Level is welcomed and should be secured by condition. All green roofs should be biodiversity based extensive green roofs, to be secured by condition. SUDS should be secured by condition. A Green Performance Plan should be secured as part of the S106 agreement.
- 8.18 **Pollution Team** – It is noted that there have been a number of issues with mechanical plant in this vicinity, therefore, all of the proposed plant would need to be designed to meet noise restriction criteria to be secured by condition. It is noted that early morning deliveries in this area have historically been a source of complaint, therefore, servicing should be restricted by condition to between 0800-2000 hours on Monday to Saturday. A Construction Environment Management Plan (CEMP) should be secured by condition to protect the amenities of neighbouring residents and business occupiers during the period of works. This would cover issues with respect to: noise, air quality, dust, smoke, odour, vibration and TV reception.
- 8.19 **Inclusive Design Officer** – has requested further details of inclusive access to be provided throughout the commercial and residential parts of the development and conditions to secure inclusive access.
- 8.20 **Environmental Health Officer (Residential Team)** – No objection

9 RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2011, Islington Core Strategy 2011 and Development Management Policies 2013:
- Central Activities Zone; Bunhill & Clerkenwell Key Area; City Fringe Opportunity Area; Employment Priority Area (Offices); Moorfields Archaeological Priority Area.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.4 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Environmental Impact Assessment

- 9.5 An EIA screening was not submitted. However the site is less than 0.5ha in size and whilst it is a development of an urban location/nature, its general characteristics are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Land use
- Design & heritage considerations
- Dwelling mix
- Standard of residential accommodation
- Affordable housing

- Accessibility
- Transportation & highways issues
- Energy efficiency & sustainability
- Neighbouring amenity
- Planning obligations/mitigations

Land-use

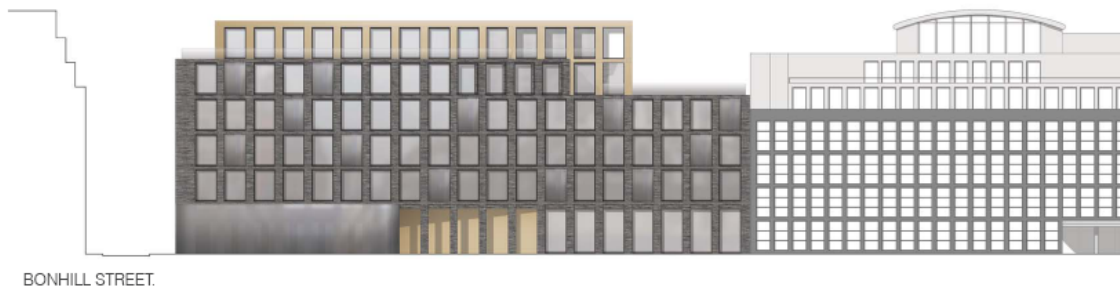
- 10.2 The application site is located within the Central Activities Zone (CAZ), the Bunhill & Clerkenwell Key Area, the City Fringe Opportunity Area, and an Employment Priority Area (Offices).
- 10.3 At present the site provides 4,297sqm of B1 office accommodation within the L-shaped section of the building that fronts Bonhill Street and Tabernacle Street, with 19 residential flats within the part of the building to the north at 10 Epworth Street and 1 former caretaker's flat at first floor level within the central courtyard. At basement level is a B8 distribution warehouse (1,778sqm) operated by a courier company.
- 10.4 It is proposed to refurbish and extend the existing office building to provide an additional 2,503sqm of new B1 office floorspace, together with a change of use of the basement (1,778sqm) from a B8 distribution warehouse to B1 office. The proposal would result in the creation of 4,281sqm of additional B1 office accommodation, with a total provision of 8,578sqm of high quality flexible office accommodation. The proposal is targeted at providing accommodation for the technology and creative based industries that are continuing to grow within this area.
- 10.5 The principle of intensified and upgraded office use is supported at this highly accessible location within the CAZ, as it is consistent with Islington Core Strategy policies CS13 (Employment spaces), which encourages new business floorspace within the CAZ, and CS7 (Bunhill and Clerkenwell) which directs that employment-led development should largely be concentrated to the south of Old Street/Clerkenwell Road. Employment growth associated with additional office space is also supported in the City Fringe Opportunity Area as set out in policy 2.13 (Opportunity areas and intensification areas) of the London Plan 2011.
- 10.6 It is considered that the maximum amount of business floorspace reasonably possible has been provided within the proposed development in line with the requirements of Finsbury Local Plan policy BC8, part A(ii); and the proportion of B1 office floorspace has been maximised in line with policy BC8, part C(i).
- 10.7 The proposal would also provide 6 new residential flats (800sqm) on the top floor of the proposed roof extension. The inclusion of residential units within the scheme accords with London Plan 2011 policies 2.11 (Central Activities Zone – Strategic Functions) and 4.3 (Mixed use development and Offices), which seek to secure the provision of mixed use developments within the CAZ.

- 10.8 The proposal would provide residential accommodation on site, comprising greater than 20% of the total net increase in office space, therefore, it complies with the requirements of the Finsbury Local Plan policy BC8, part D.
- 10.9 In summary, the proposed employment (office) led mixed use development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.

Design and Heritage Considerations

- 10.10 The application site is not located within a conservation area. However, the site lies within a sensitive location, being within 70m of the enclave of historic buildings grouped around the grade I listed Wesley's Chapel to the northwest, reasonably close to the grade II listed Lowndes House (1 City Road) and the locally-listed Triton Court (Finsbury Square), and adjacent to the Bunhill Fields and Finsbury Square Conservation Area. Therefore, the impact on the setting of nearby heritage assets is a key consideration in assessment of this proposal. Consistent with London Plan 2011 policy 7.8 (Heritage assets and archaeology), Islington Core Strategy policies CS7 (Bunhill and Clerkenwell) and CS9 (Protecting and enhancing Islington's built and historic environment) and Islington Development Management Policy DM2.3 (Heritage), any development should protect and enhance this heritage setting.
- 10.11 The proposal involves the refurbishment and extension of the existing office building. The development includes: demolition of the existing rear courtyard part of building and fourth floor plant room (on Bonhill Street); erection of a new stepped rear courtyard infill extension at ground to fourth floor level; erection of a fourth and fifth floor level roof extension on Bonhill Street and Tabernacle Street; recladding and alteration to external facades; together with complete internal reconfiguration of existing commercial floorspace.
- 10.12 It has been clearly demonstrated how the proposed height and massing of the proposal has been developed. The drawings and views which have been submitted as part of the application are considered to demonstrate that the addition of the proposed roof extension to the existing building would sit comfortably within the townscape of Tabernacle Street, and would not unacceptably obstruct or crowd views of listed and locally-listed buildings and the roofscape of Finsbury Square to the south.
- 10.13 The existing design of the undercroft and central courtyard has resulted in this area being poorly surveyed, underused, and a magnet for rough sleeping and anti-social behaviour. Therefore, the proposals to infill the existing open ground floor on Bonhill Street, Tabernacle Street, and within the courtyard, in order to provide active, useable employment space and active ground floor street frontages, is welcomed.
- 10.14 The existing building is constructed with a concrete frame, clad in brown facing brickwork with brown aluminium windows, giving it a dated appearance. It is proposed to refurbish and update the elevations of the L-shaped part of the building, which fronts Bonhill Street and Tabernacle Street, by removing

the existing facing brickwork and windows to the elevations. The elevations would then be remodelled with larger windows set within deep reveals and reconstructed using attractive high quality brickwork with frameless glazing.



BONHILL STREET.



TABERNACLE STREET



1. Roof infill.
2. Brushed Bronze gate.
3. Flush structural glazing.
4. Office entrance.
5. Residential entrance.

EPWORTH STREET. DRAWING no. 2102 1:200@A3

Image 7: Proposed street facing elevations

10.15 Brushed bronze together with facing brickwork would be used to clad the roof level and rear courtyard extensions, with green roofs provided at each level as the rear extension steps down. Ornamental brushed bronze sliding gates would be installed at the vehicular entrance on Epworth Street providing an elegant and interesting solution to the access. It is considered that the design concept has successfully picked up on the historic industrial / commercial character of the area and would provide an attractive development with an elegant contemporary finish. As such, the general design approach and choice of materials is supported, subject to relevant conditions to ensure the

high quality finish proposed at the design stage is followed through at the implementation stage and that the detailed design of all features are agreed.

- 10.16 Overall, the proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition as stated above. It is considered that the proposal would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 10.17 The site is located within the Moorfields Archaeological Priority Area, therefore, English Heritage GLAAS have been consulted with respect to the proposed development. They have advised that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, due to the minimal impact on the ground proposed. Therefore, no archaeological conditions or further desk based assessments are required. In this regard the proposal is considered to accord with Islington Development Management Policy DM2.3 Part F.

Dwelling Mix

- 10.18 The proposal would provide six new market sale residential units, comprising one x three-bedroom flat and five x two-bedroom flats, which would all be for private market sale.
- 10.19 The dwelling mix for minor residential developments (less than ten new units) should be informed by the housing mix identified in Development Management Policy DM3.1 (Mix of housing sizes) and associated Table 3.1. This highlights that for market sale housing developments, the focus should be on the provision of two-bedroom units, as is the case with this proposal.
- 10.20 Overall, it is considered that the proposed development would help to meet the Borough's housing need in line with the aims of policy 3.8 (Housing choice) of the London Plan 2011, policy CS12 (Meeting the housing challenge) of the Islington Core Strategy 2011, and policy DM3.1 (Mix of housing sizes) of the Islington Development Management Policies 2013.

Standard of Residential Accommodation

- 10.21 The proposal would provide six new residential units at fifth floor level within the roof extension. These units would be for market sale. Islington Development Management Policy DM3.4 (Housing standards) provides detailed guidance and criteria for assessing the standard of proposed residential units.
- 10.22 It is noted that all units would exceed the minimum gross internal area (GIA) size standard sought by policy 3.5 (Quality and design of housing developments) of the London Plan 2011 and policy DM3.4. All habitable rooms within each dwelling would exceed the required minimum size (as set out in Table 3.3 of the Islington Development Management Policies), and the internal arrangement allows for functional use, with sufficient provision for

storage. The floor to ceiling height would also meet the required standard set out in policy DM3.4.

- 10.23 All units would be provided with street facing terraces which meet the private amenity space requirements set out in Islington Development Management Policy DM3.5 (Private outdoor space).
- 10.24 The residential units would be fully separated from the office use at the site, as required by Finsbury Local Plan Policy BC8 Part I.
- 10.25 Dedicated refuse and recycling facilities are provided for the residential units at ground floor level. The location and capacity of these facilities have been assessed by the Council's Waste Management Team who have confirmed that they are acceptable.
- 10.26 It is noted that the five x two-bedroom units would be single aspect, with the three-bedroom family unit having dual aspect due to its corner location. While this is not ideal, three of the units would have windows orientated in a south direction and two of the units would have windows orientated in a west direction. Therefore, it is considered that the units would receive adequate levels of sunlight. The units are also relatively shallow with a depth of 10.75m with large windows, therefore, it is considered that the units would receive adequate natural daylight within habitable rooms. All habitable rooms would have a decent outlook, appropriate privacy, and would benefit from adequate natural light and ventilation.
- 10.27 In summary, notwithstanding the issue that five of the units would be single rather than dual aspect, otherwise the proposed residential units (which would be for market sale) comply with the housing standards as set out in policies DM3.4 and DM3.5. Therefore, on balance the proposed residential units are considered to provide an acceptable level of amenity for future occupiers.

Affordable Housing

- 10.28 The proposal includes the demolition of one existing residential unit (the former caretaker's flat) and the creation of six new residential flats. Therefore, the proposal would result in a net increase of five residential units at the site.
- 10.29 The applicant has agreed to pay the full £300,000 contribution towards off-site provision of affordable housing in accordance with the requirements of policy CS12 and the Islington Affordable Housing Small Sites Contributions SPD, which requires a contribution of £60,000 per new residential unit created (net). This would be secured within a S106 legal agreement.

Accessibility

- 10.30 Both the commercial and residential parts of the development are expected to meet the standards for inclusive access as set out in the Islington Inclusive Design SPD.
- 10.31 Amendments have been made to the layout of the residential units and office development during the consideration of the application in response to

concerns raised by the Council's Inclusive Design Officer. All residential units have been designed to achieve the Lifetime Homes Standards with the required wheelchair circulation space provided within living rooms and main bedrooms. Accessible cycle parking spaces shall be provided. All lifts and entrances accord with the Islington Inclusive Design SPD. All shower and changing facilities shall be wheelchair accessible. A lift shall be provided providing access from the fifth floor residential units to the fourth floor communal terrace. These shall all be secured by condition.

- 10.32 Further revised details are required for the new entrance to the existing 19 flats at 10 Epworth Street. It is necessary to ensure that the new entrance is properly inclusive and provides appropriate wheelchair access. This shall be secured by condition.

Highways and Transportation

- 10.33 The Site has an 'Excellent' Public Transport Accessibility Level (PTAL 6b), and is located within a Controlled Parking Zone (CPZ). The site is well served by public transport, being located close to Old Street underground station and with 13 bus routes passing within walking distance of the site. The site is also well served by existing cycle routes and Barclays Cycle Hire docking stations.

Transport Impact (Number of Trips)

- 10.34 The proposed development would create an increase in the number of trips to/from the site. The number of trips is expected to increase from around 1000 trips per day to 1600 trips. However, the vast majority of both existing and projected trips would be by walking, cycling or public transport. Only 12 trips are anticipated to take place by car or motorcycle.
- 10.35 Significantly, as the existing courier delivery business would cease to operate from the basement at the site, the number of servicing/delivery trips is anticipated to dramatically decrease compared to the existing situation. The current operation of existing uses at the site generates around 294 vehicular movements per day comprising 71 car movements, 118 LGV movements, 5 HGV movements and 100 motorcycle movements. The proposed development is predicted to result in 44 vehicular movements (comprising 22 servicing/delivery events). This significant decrease in vehicular movements is anticipated to help improve air quality in the area, and help to reduce traffic and congestion on surrounding roads.

Pedestrian Access

- 10.36 Appropriate separate pedestrian entrances would be provided within the development for the existing residential units at 10 Epworth Street, the proposed new residential units and the proposed office spaces.
- 10.37 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. In order to achieve this, the footways surrounding the development must be of a sufficiently high quality. The site is currently surrounded by a number of poor quality and narrow footways, including on Epworth Street, Bonhill Street and Tabernacle Street. Bearing in mind, that

occupants and visitors to the proposed development would be utilising the surrounding streets, it is important that improvements to the surrounding footways are secured as part of the development. As such, a contribution of £125,000 towards public realm improvements, within

Servicing

- 10.38 In line with Islington Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Policy DM8.6 and supporting paragraph 8.39, seek provision of details of servicing requirements including hours, frequency, location and size of vehicles. A draft servicing and management plan (SMP) has been submitted for the proposed development, which covers the key information requirements set out within paragraph 8.39.
- 10.39 It is proposed to rationalise and formalise the existing ad hoc servicing of the site. All servicing of the commercial offices would be conducted on-site within a ground floor level dedicated servicing area to be created in the east side of the existing central courtyard. The servicing area would be to the rear of the existing car park (which is to be retained) and would utilise the same access off Epworth Street. The draft SMP demonstrates that the largest standard servicing vehicles (7.5 tonne) would be able to enter and exit the servicing area in forward gear, which accords with policy DM8.6. In order to maintain highway safety and the free flow of traffic on surrounding roads, the maximum size of servicing vehicle shall be restricted by condition to 7.5 tonne (the largest vehicle that can achieve acceptable on-site servicing entering and exiting the site in forward gear).
- 10.40 In order to prevent two servicing vehicles arriving at the same time, which would potentially create a traffic obstruction and/or congestion along Epworth Street, the draft SMP provides details of a proposed servicing booking system, out of hours delivery, and monitoring. This would be secured by condition. A final SMP, which includes details of how potential conflict between servicing vehicles and residential cars using the car park, and cyclists using the cycle parking, would be appropriately mitigated, shall be secured by condition.

Vehicle Parking

- 10.41 Islington Core Strategy Policy CS10 (Sustainable development), Part H, seeks to secure car free development. Islington Development Management Policy DM8.5 (Vehicle parking), Part A (Residential parking) requires all new residential units to be car free, including the removal of rights for residents to apply for on-street car parking permits.
- 10.42 It is confirmed that the proposed office development and new residential units would be car free in line with policy DM8.5. Residential occupiers would not be eligible to attain onstreet car parking permits for the surrounding CPZ in the interests of promoting the use of more sustainable forms of transport and tackling congestion and overburdened parking infrastructure. The exceptions

to this would be where, in accordance with Council parking policy, persons occupying the residential development relocate from elsewhere in the borough, and have previously held a parking permit for a period of 12 months prior to the date of occupation of the new unit. In this case, in the interests of reasonableness and not to deter movement of existing residents within the borough, they will be able to transfer their existing permit. Residents who are 'blue badge' (disabled parking permit) holders will also be able to park in the CPZ.

- 10.43 The two above mentioned exceptions could result in limited additional vehicular parking on surrounding roads, however, it is not considered that this would have a significant impact on the availability of on street parking or the operation of surrounding highways.
- 10.44 In line with policy DM8.5 part C, together with the Islington Inclusive Design SPD and Planning Obligations SPD, a contribution of £12,000 towards the provision of six on-street accessible parking bays to be located within the vicinity of the site shall be secured by S106 legal agreement.
- 10.45 There is an off-street car park provided within the ground floor undercroft and east section of the central courtyard. This currently provides eight parking spaces which are used by the residents of the 19 flats at 10 Epworth Street. The submitted Transport Statement (para. 43) confirms that the proposals include the retention of eight existing off-street parking spaces for use by the residents of the existing 19 flats at 10 Epworth Street. This shall be secured within the S106 legal agreement. The formal demarcation and management of the car park to ensure that it can be operated safely in accordance with the proposed servicing area shall be secured by condition.

Cycle Parking

- 10.46 Islington Development Management Policy DM8.4 (Walking and cycling), Part D requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. For residential development, Appendix 6 requires cycle parking to be provided at a rate of 1 space per bedroom, which equates to the provision of 13 spaces for the new residential units. For office space (B1), Appendix 6 of the Development Management Policies requires cycle parking to be provided at a rate of 1 space per 80sqm, which equates to a provision of 108 cycle parking spaces. The detailed design, location and number of cycle parking spaces shall be secured by condition.
- 10.47 The proposed cycle parking for the commercial office would be located at the rear of the car park / servicing area with an access shared with vehicular traffic. Therefore, it would be necessary to secure by condition, a clearly delineated safe cycle route from the access to the cycle parking location to minimise the potential for conflict between service vehicles/residents cars and cycles.

Highways Works

- 10.48 The proposals include alterations to the existing footway cross-over on Epworth Street and would result in the existing footway crossover on Bonhill Street becoming redundant, requiring footway reinstatement. These works would need to be carried out by LBI Highways with the cost covered by the applicant / developer. This would be secured via a S278 Agreement as part of the S106 legal agreement.

Crossrail

- 10.49 TfL have advised that the application site is located within the area where additional contributions, above and beyond the standard Mayor's CIL, are sought towards the provision of Crossrail. TfL have advised that a contribution of £350,420 towards provision of Crossrail should be sought for this development. Therefore, this shall be secured within the S106 legal agreement.

Energy Efficiency & Sustainability

- 10.50 Islington Core Strategy policy CS10 (Sustainable design) part A requires that all development proposals demonstrate that they have minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of 50% relative to total emissions from a building which complies with Building Regulations 2006, where connection to a Decentralised Energy Network (DEN) is possible, such as is the case with the application site. Typically all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.51 Islington Development Management Policy DM7.3 (Decentralised Energy Networks) part D identifies that major development should connect to a DEN linking neighbouring development and existing buildings, unless it can be demonstrated that this is not reasonably possible. The applicant has confirmed that the development is aiming to connect to the Citigen DEN. This shall be secured within the S106 legal agreement.
- 10.52 The whole scheme (refurbishment of the existing building and new build extensions) would achieve a 45% reduction in total CO2 emissions versus an equivalent 2006 part L building regulations compliant scheme. While the overall development does not manage to meet the policy target of a 50% reduction, based on the submitted information, it is considered likely that the new build extensions if taken alone would meet and most probably exceed the policy target. Therefore, on balance subject to payment of a carbon offset contribution of £66,937 (to be secured within a S106 agreement) the energy efficiency of the building is considered to be acceptable in this instance.
- 10.53 The pre-assessment reports provided for the development indicate that the development would comfortably achieve a BREEAM 'Excellent' rating for the commercial floorspace and a Code for Sustainable Homes 'Level 4' rating for

the new residential units. This includes a commitment to achieve 5 out of 6 water credits for the office development and less than 90 litres/person/day water efficiency for the residential units, together with 66% of materials credits. Therefore, the proposals accord with the requirements of Islington Development Management Policy DM7.4 (Sustainable design standards). This shall be secured by condition.

- 10.54 Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation. A draft GPP shall be secured by condition prior to commencement of the development and a final post occupation GPP shall be secured within the S106 legal agreement.
- 10.55 For all developments, it is required that the cooling hierarchy (as set out in Islington Development Management Policy DM7.5 (Heating and cooling) part A) is followed, in order to reduce any risk of overheating and minimise the need for artificial cooling. This favours the use of passive design, natural ventilation, mechanical ventilation and finally artificial cooling, with the most efficient artificial approaches being favoured first. Cooling for the commercial elements is proposed, via a district cooling network from the Citigen network.
- 10.56 The submitted Energy Statement provides limited information about how / what passive design would be used to minimise unwanted heat gains, and how the cooling hierarchy has been followed overall. Also, Islington Development Management Policy DM7.5 (Heating and cooling) part C requires that thermal modelling is undertaken for major developments, to assess any risk of overheating, based on current and future summer temperatures. This has not yet been provided. Therefore, additional information covering heating and cooling for the development shall be secured by condition.
- 10.57 Islington Core Strategy Policy CS10 and Islington Development Management Policy DM6.5 (Landscaping, trees and biodiversity) promote urban greening and enhancing biodiversity. The development would include green roofs on all new roofs with rainwater butts provided to service planting on the residential terraces. A condition is required to ensure that all green roofs are extensive substrate based biodiverse roofs with a minimum substrate depth of 120-150mm.
- 10.58 Islington Development Management Policy DM6.6 (Flood prevention) requires that all developments include Sustainable Urban Drainage Systems (SUDS). The SUDS scheme proposed is expected to be designed to reduce flows to a 'greenfield rate' of run-off (8l/sec/ha) where feasible. Where it can be demonstrated that this is not feasible, run-off rates should be minimised as far as possible. This information has not been provided, therefore, it is necessary to secure details of a comprehensive SUDS system (that accords with the requirements of policy DM6.6) via condition.

Neighbouring Amenity

- 10.59 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Islington Development Management Policy DM2.1 (Design) requires that consideration must be given to potential impacts of development on neighbouring residential properties including: reduction of sunlight and daylight to habitable rooms, overshadowing of gardens, reduction in privacy due to increased overlooking, increased sense of enclosure, loss of outlook, and increased noise and disturbance associated with occupation and use of the development (but not including noise and disturbance relating to construction works).

Daylight, Sunlight & Overshadowing

- 10.60 A Daylight, Sunlight and Overshadowing Assessment Report has been provided as part of the application submission. The assessment has been carried out in accordance with the guidance and methodology set out in the Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight 2011 publication. This document provides the accepted nationally recognised guidance which is used in the assessment of sunlight and daylight impacts for planning applications.

- 10.61 For assessment of daylight, the BRE guidelines stipulate that there would be no significant perceivable reduction in existing daylight levels provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by more than 20% of its original value;

- 10.62 For assessment of sunlight, the BRE guidelines confirm that windows that are not orientated facing within 90 degrees of due south do not warrant assessment. The guidelines stipulate that for those windows that do warrant assessment, there would be no significant perceivable reduction in existing levels of sunlight received where:

In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and where the APSH and WSPH is not reduced by more than 20% of its original value.

In cases where these requirements are breached there will still be no significant noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of APSH.

- 10.63 Where the guideline values for reduction in existing levels of daylighting and sunlighting are exceeded, then sunlighting and/or daylighting may be adversely affected. However, it is necessary to note that while the BRE guidelines provide numerical guidelines, the document clearly emphasizes

that guidance values provided are not mandatory. It is advised that the guide should not be seen as an instrument of planning policy, rather the guidance should be interpreted flexibly, taking account that natural lighting is only one of many factors to be considered when assessing a proposed development.

- 10.64 The only residential units within the vicinity of the site which could be affected by the proposal with respect to a potential reduction in sunlight or daylight are the existing 19 flats at 10 Epworth Street which are located within the application site to the north and northeast of the proposed roof extension. Therefore, the impact on each of these flats has been assessed within the submitted Daylight, Sunlight and Overshadowing Assessment Report.
- 10.65 With regards to levels of daylight received, vertical sky component tests (in accordance with BRE guidelines) have been carried out and show that all courtyard (south) facing windows for all properties at 10 Epworth Street would retain VSC values exceeding minimum requirements (i.e. would retain 27% VSC or 80% of their original value). Therefore, the proposed development would not result in a significant noticeable reduction in daylight at any of the residential properties at 10 Epworth Street compared to the existing situation.
- 10.66 With regards to levels of sunlight received, APSH and WPSH tests (in accordance with BRE guidelines) have been carried out. These tests show that all courtyard (south) facing windows for all properties at 10 Epworth Street would retain APSH and WPSH values exceeding minimum requirements (i.e. would retain 25% APSH and 5% WSPH), although it is noted that a total of 14 windows would receive a reduction in sunlight of greater than 20% of their existing levels for winter months (but not across the whole year). This indicates that for these 14 windows the reduction in sunlight received during winter months is likely to be perceivable to some degree, although the level of sunlight that would be received by all windows in winter months would exceed the BRE guidance on minimum levels of winter sunlighting, with all but 3 windows receiving at least twice the minimum level of winter sunlight.
- 10.67 In summary, assessing the impact of the proposed development against BRE guidance, it is seen that the proposal would not cause a significant (greater than 20%) reduction in the annual level of sunlight received. The proposal would have a more significant impact on the amount of sunlight received at 14 windows during winter months, however the reduction would not cause such a reduction in levels of winter sunlight so as to fail to comply with BRE guidance. Taking this into account, it is not considered that the proposed development would result in such a significant reduction in sunlight at any of the residential properties at 10 Epworth Street compared to the existing situation, so as to warrant refusal of the application on these grounds.
- 10.68 The residential properties at 10 Epworth Street have a south facing shared communal roof terrace garden which projects into the central courtyard at first floor level. The BRE guidelines state that to appear adequately sunlit throughout the year at least half of an external amenity space should receive at least 2 hours of sunlight on 21st March.

- 10.69 The submitted Daylight, Sunlight and Overshadowing Assessment Report illustrates that at present on 21st March, 12% of the roof terrace garden would not receive at least 2 hours of sunlight, whereas as a result of the proposed roof extensions this would increase by 11% so that 23% of the roof terrace would not receive 2 hours of sunlight on 21st March (i.e. 77% would receive the required minimum level). The overshadowing caused by the proposed development is well within the BRE guidelines and therefore is not considered to be unacceptable.

Overlooking / Privacy

- 10.70 Paragraph 2.14 of the supporting text for policy DM2.1 identifies that 'To protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this policy, consideration has to be given also to the nature of views between windows. For instance, where the views between windows are oblique as a result of angles or height difference between windows, there may be no harm.
- 10.71 The proposal would not introduce any new windows to habitable rooms which would face the existing windows to habitable rooms within the residential units at 10 Epworth Street, however, it would introduce office windows at a reduced distance to the existing situation. The existing distance across the internal courtyard between the windows at 10 Epworth Street and facing windows in the existing offices is between 26m and 28m. The proposed stepped courtyard extension would result in the distance between windows to habitable rooms and office windows being reduced to 17m straight and 13m oblique at first floor level; 21m straight and 18.5m oblique at second floor level; 24.5m straight and 19m oblique at third floor level; and 26.5m straight and 24.5m oblique (it is important to note that these measurements represent the closest point between the extension and the west side of the rear elevation of 10 Epworth Street, with the distances increasing across the courtyard in a westerly direction as the extension tapers back on each floor).
- 10.72 In order to preserve the amenity of the occupiers of existing flats at 10 Epworth Street, due to the reduced distance between windows to habitable rooms and new office windows, it is considered that the first and second floor level windows in the courtyard extension should be obscurely glazed to prevent overlooking. It is also considered that all courtyard facing windows should be fixed shut and unopenable. These measures shall be secured by condition. Subject to these conditions, it is not considered that the proposal would result in such an increase in overlooking compared to the existing situation, so as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.

Sense of Enclosure / Loss of Outlook

- 10.73 It is not considered that the erection of the proposed extensions would result in such an increase in a sense of enclosure or loss of outlook compared to the

existing situation, so as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.

Noise and Disturbance

- 10.74 The proposal would result in the removal of the existing courier distribution use which operates out of the basement which would significantly reduce the number of vehicular movements associated with the site, potentially reducing the level of vehicular related noise and disturbance at the site. The proposal would rationalise and formalise the existing ad hoc servicing of the site, however, this would result in removal of servicing from Bonhill Street and its relocation to Epworth Street. The entrance to the proposed on-site internal servicing area would be below the existing flats at 10 Epworth Street. Therefore, there is the potential for some increased noise and disturbance for the residents of 10 Epworth Street as a result of servicing vehicle movements. In order to minimise the potential for noise and disturbance from servicing vehicles, the hours of servicing shall be restricted by condition to 0800-2000 hours. Further to this, the installation of sound insulation between the servicing area / car park and the residential flats above shall be secured by condition, together with full details of measures to ensure that any noise or vibration from the operation of the new sliding access gate is appropriately mitigated.
- 10.75 Refuse collection for the new residential units would also take place from Epworth Street. However, this would not cause significant additional noise and disturbance, as this would take place at the same time as collection of residential refuse from the existing flats at 10 Epworth Street.
- 10.76 It is noted that there have been a number of issues with regards noise and disturbance caused by the operation of mechanical plant (chiefly air-conditioning condensers) at and within the vicinity of the site. In order to ensure that any new plant does not result in any further noise issues, the noise levels of all new plant shall be controlled by condition.
- 10.77 If the development is consented, a certain amount of disruption and disturbance to neighbouring residents and commercial occupiers would be unavoidable. In order to ensure that any disruption and disturbance is kept to an absolute minimum a Construction Environment Management Plan (CEMP) would be secured by condition to protect the amenities of neighbouring residents and business occupiers during the period of works. This would cover issues with respect to: noise, air quality, dust, smoke, odour vibration and TV reception. Further to this, a Construction Method Statement covering issues regarding parking of vehicles of site operatives, loading and unloading of plant and materials, and storage of plant and materials shall also be secured by condition.
- 10.78 Subject to the conditions set out above, it is not considered that the implementation or operation of the proposed development would result in such an increase in noise and disturbance compared to the existing situation, so as to cause such harm to neighbouring amenity as to warrant refusal of the application on these grounds.

Light Pollution

- 10.79 In order to prevent the possibility of increased light pollution for neighbouring residents, full details of all security and general lighting proposed within the courtyard area, or within the ground floor area covered in glazing, shall be secured by condition.

Summary

- 10.80 In summary, while it is noted that the proposed development would have some negative impact on the amenity of neighbouring residential occupiers of flats at 10 Epworth Street, subject to the conditions set out above, it is not considered that the proposed development would result in such harm to the amenity of neighbouring residential occupiers as to warrant refusal of the application.

Planning Obligations, Community Infrastructure Levy and local finance considerations

S106 Agreement

- 10.81 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 10.82 The proposed development generates a requirement for S106 contributions towards offsite affordable housing provision, provision of Crossrail, CO2 offsetting, public realm improvements, and employment and training of local people.
- 10.83 The S106 agreement would include the following agreed heads of terms:
- Contribution of £300,000 towards the provision of offsite affordable housing elsewhere in the borough.
 - Contribution of £350,420 towards the provision of Crossrail.
 - Contribution of £125,000 towards public realm improvements within the vicinity of the site.
 - Contribution of £66,937 towards offsetting projected residual CO2 emissions of the development.
 - The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.

- Compliance with the Code of Employment and Training.
- Facilitation of 9 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £45,000 to be paid to LBI.
- Contribution of £25,042 towards employment and training for local residents.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £9,179.
- Provision of 6 additional accessible parking bays or a contribution of £12,000 towards provision of on-street bays or other accessible transport initiatives.
- Removal of eligibility for residents of new units to obtain parking permits.
- Continued provision of 8 on-site parking spaces for use by the residents of the 19 existing flats at 10 Epworth Street.
- Submission of a final post occupation Green Performance Plan.
- Connection to Citigen decentralised energy network.
- Submission of a final Travel Plan.
- Payment of Council's fees in preparing and monitoring the S106.

Community Infrastructure Levy (CIL)

10.84 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) and Islington CIL would be chargeable for the proposed development on grant of planning permission. The CIL are contributions calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent. The following CIL contributions have been calculated for the proposed development based on the proposed amount of additional floorspace:

- Islington CIL - £430,979
- Mayor's CIL - £161,500

National Planning Policy Framework

- 10.85 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. The NPPF requires local planning authorities to boost significantly the supply of housing and require good design from new development to achieve good planning.

11 SUMMARY AND CONCLUSION

Summary

- 11.1 It is proposed to undertake wholesale refurbishment and remodelling of the existing office building, including infilling the existing open ground floor undercroft on Bonhill Street and Tabernacle Street and infilling the central courtyard. The proposal includes the erection of rear courtyard and roof level extensions, in order to provide an updated employment-led (office) mixed use development at the site. The proposal would provide 2,503sqm of new B1 office accommodation (a total of 8,578sqm of high quality office floorspace including the refurbished existing commercial floorspace) and six new residential flats for private market sale.
- 11.2 The proposed employment (office) led mixed use development is considered to accord with all the pertinent land use policies with the London Plan and Islington Development Plan and therefore, the proposal is considered to be acceptable in land use terms.
- 11.3 The proposed development is considered to be acceptable in terms of its height, bulk, scale, massing, design and external finish, subject to the further details to be secured by condition. It is considered that the proposal which would update the existing out-dated office building would represent a high quality development, which would enhance the character and appearance of the site, the streetscene and the surrounding townscape. The proposal is considered to accord with the aims of local, regional and national design and heritage policies.
- 11.4 The dwelling mix proposed and the standard of the proposed new residential accommodation are both considered to be acceptable. The applicant has agreed to pay £300, 000 towards the off-site provision of affordable housing elsewhere in the borough in the line with the Small Sites Affordable Housing SPD.
- 11.5 The proposal would result in the cessation of the existing B8 courier distribution use which currently operates from the basement at the site, therefore resulting in a significant reduction in the number of vehicular trips associated with the operation of the site. Subject to the control of serving via conditions it is not considered that the proposal would have an adverse impact on the highway safety or the operation of surrounding highways. The office development and new residential units would be car-free. The existing eight on-site parking spaces for residents of the existing flats at 10 Epworth Street would be retained for use by these residents within the development.

11.6 The proposed development would have some negative impact on the amenity of some neighbouring residential occupiers of flats at 10 Epworth Street, chiefly due to reduced winter sunlight, and the potential for increased noise and disturbance from servicing. However, subject to conditions to secure obscurely glazed courtyard facing windows that are fixed shut, the provision of adequate sound insulation between the servicing yard and the flats, and the appropriate control of hours of servicing, it is not considered that the proposed development would result in such harm to the amenity of neighbouring residential occupiers so as to warrant refusal of the application.

Conclusion

11.7 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

1. A contribution of £300,000 towards the provision of affordable housing elsewhere in the borough.
2. A contribution of £350,420 to be paid to TfL towards the provision of Crossrail (amount to be adjusted to take account of Mayor's CIL payment).
3. A contribution of £125,000 towards public realm improvements within the vicinity of the site.
4. A contribution of £66,937 towards offsetting projected residual CO2 emissions of the development.
5. The repair and re-instatement of the footways and highways adjoining the development, including the removal of redundant footway crossovers. The cost is to be confirmed by LBI Highways, paid for by the applicant/developer and the work carried out by LBI Highways. Condition surveys may be required.
6. Compliance with the Code of Employment and Training.
7. Facilitation of 9 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee of £45,000 to be paid to LBI. Developer / contractor to pay wages (must meet national minimum wage). London Borough of Islington Construction Works Team to recruit for and monitor placements.
8. Contribution of £25,042 towards employment and training for local residents.
9. Compliance with the Code of Local Procurement.
10. Compliance with the Code of Construction Practice, including a monitoring fee of £9,179 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
11. The provision of 6 additional accessible parking bays or a contribution of £12,000 towards provision of on-street bays or other accessible transport initiatives.
12. Removal of eligibility for residents of new units to obtain parking permits.

13. Continued provision of 8 on-site parking spaces for use by the residents of the 19 existing flats at 10 Epworth Street.
14. Submission of a final post occupation Green Performance Plan to the Local Planning Authority following an agreed monitoring period.
15. Connection to Citigen decentralised energy network.
16. Submission of a final Travel Plan for Council approval 6 months from first occupation of the development.
17. Payment of Council's legal fees in preparing the S106 Agreement and officer's fees for the preparation, monitoring and implementation of the S106 Agreement.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timeframe for the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>365-13: 0500, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1100, 1101, 1102, 1200, 1201, 2000, 2001, 2002 rev C, 2003, 2004 rev A, 2005 rev A, 2006 rev A, 2007 rev A, 2008 rev A, 2009 rev A, 2100, 2101, 2102, 2200, 2201, 2202, 3000,</p>

	<p>Integrated Planning Brochure rev D, Planning Statement by Rolfe Judd dated 19th March 2014, Daylight, Sunlight and Overshadowing Report by CHP dated 7th March 2014, Energy Strategy by Elementa dated 16th March 2014, BREEAM and CSH Strategy Report by Elementa dated 6th March 2014, Transport Statement by Stilwell Partnership dated March 2014, Travel Plan “Framework” by Stilwell Partnership dated March 2014, Service Strategy & Management Plan “Framework” by Stilwell Partnership dated March 2014, Letter from Stilwell Partnership to LBI (Adam Barnett) dated 18/06/2014, TSP/LPL/P2532/01 A, TSP/LPL/P2532/02, TSP/LPL/P2532/03, Statement of Community Involvement by Rolfe Judd dated 19 March 2014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Details)</p>
	<p>CONDITION: Details including drawings at scale 1:20 and samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on the development. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Facing brickwork(s); sample panels of proposed brickwork to be used showing the colour, texture, facebond, and pointing; b) Brushed bronze cladding; c) Windows; d) Ornamental bronze gates; e) Entrance doors f) Ground floor glass cladding (including sections); g) Glass balustrades; h) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	<p>Overheating / Cooling Hierarchy (Details)</p>
	<p>CONDITION: Prior to commencement of the development the following information shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) A report detailing how the development would follow the cooling hierarchy as set out in Islington Development Management Policy DM7.5; b) Thermal modelling to demonstrate that the risk of internal overheating has been addressed in accordance with policy DM7.5.

	<p>The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development, which takes appropriate account of future climate change.</p>
5	<p>Servicing Management Plan (Details)</p> <p>CONDITION: A Servicing Management Plan (SMP) detailing servicing arrangements for the office uses and new residential units, including the location, times, frequency and types of servicing vehicles to be used; and setting out how potential conflict between vehicles and cyclists would be appropriately mitigated (including provision of a demarcated safe cycle route from the entrance to the cycle parking) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The site shall only be serviced by vehicles up to a maximum size of 7.5 tonnes unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The development shall be completed and operated strictly in accordance with the details so approved at all times and no change there from shall take place without the prior written consent of the Local Planning Authority. The approved safe cycle route shall be provided prior to the first occupation of the development.</p> <p>REASON: In order to ensure that servicing arrangements are satisfactory in terms of their impact on neighbouring amenity, highway safety and the free-flow of traffic; and to ensure the safety of cyclists at the site.</p>
6	<p>Sound Insulation Between Uses (Details)</p> <p>CONDITION: Full particulars and details of a scheme for sound insulation between:</p> <ul style="list-style-type: none"> a) the proposed office use and the proposed new residential units above; b) the ground floor car park / servicing area and the existing residential flats above at 10 Epworth Street. c) The ground floor plant room and the existing residential flats above at 10 Epworth Street. <p>shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The sound insulation shall be fully installed strictly in accordance with the approved details prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.</p>

	<p>REASON: In order to ensure that an appropriate standard of residential amenity is provided within the new residential units and that an appropriate standard of residential amenity is maintained within the existing residential units at 10 Epworth Street.</p>
7	<p>Noise Reduction / Anti-vibration Measures for Sliding Gate (Details)</p> <p>CONDITION: Full particulars and details of a scheme for noise and vibration reduction for the approved sliding gate at the vehicular access on Epworth Street shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The noise and vibration reduction measures shall be fully installed strictly in accordance with the approved details prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure that an appropriate standard of residential amenity is maintained within the existing residential units at 10 Epworth Street.</p>
8	<p>Construction Environment Management Plan (Details)</p> <p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration, and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved at all times and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to minimise impacts on the amenity of neighbouring residents, and maintain highway safety and the free flow of traffic on the surrounding highway network.</p>
9	<p>Construction Method Statement (Details)</p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall accord with the Code of Construction Practice and be strictly adhered to throughout the construction period. The CMS shall cover:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

	<p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
10	<p>Sustainable Urban Drainage (Details)</p> <p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system (SUDS) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits in line with the requirements of Islington Development Management Policy DM6.6 (Flood prevention). The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at a minimum achieve a post development run off rate of 50L/sec/ha, unless justification for a higher runoff rate is provided to the satisfaction of the Local Planning Authority.</p> <p>The SUDS shall be fully installed in strict accordance with the approved details, operational prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: In order to ensure that sustainable management of water and flood prevention.</p>
11	<p>Draft Green Performance Plan (Details)</p> <p>CONDITION: A draft Green Performance Plan (GPP), detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation, shall be submitted to and agreed in writing prior to the commencement of any works at the site. The development shall be constructed, operated and monitored in strict accordance with the details so approved.</p> <p>REASON: In order to ensure sustainable development, which minimises CO2 emissions, energy consumption and water usage.</p>
12	<p>New Entrance to 10 Epworth Street Flats (Details)</p> <p>CONDITION: Notwithstanding the details shown on the approved drawings, no permission is given for the proposed new entrance to the existing flats at 10 Epworth Street. Full details of a revised entrance which provides full wheelchair access from Epworth Street to the existing lift shall be provided prior to the commencement of the development. The development shall be implemented in strict accordance with the details so approved and maintained as such thereafter.</p>

	<p>REASON: In order to maintain existing levels of inclusive access to the existing flats at 10 Epworth Street.</p>
13	<p>Cycle Parking (Details)</p> <p>CONDITION: Details of the layout, design and appearance of the bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 108 cycle parking spaces to serve the office development and 13 spaces to serve the new residential units.</p> <p>The bicycle storage areas shall be provided strictly in accordance with the details so approved and installed prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
14	<p>Lighting (Details)</p> <p>CONDITION: Details of any general/security lighting measures within the central courtyard area and at ground floor level below the new glass roof shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved development.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.</p>
15	<p>Obscurely Glazed Windows (Details)</p> <p>CONDITION: The first and second floor windows within the courtyard extension hereby approved shall be obscurely glazed so as to prevent overlooking of existing residential accommodation at 10 Epworth Street. Details of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to preserve the amenity of residential occupiers at 10 Epworth Street.</p>
16	<p>Plumbing (No pipes to outside of building) (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in</p>

	<p>writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
17	<p>Inclusive Design (Compliance)</p> <p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate/install:</p> <ul style="list-style-type: none"> a) All lifts and entrances that accord with the Islington Inclusive Design SPD; b) All shower and changing facilities for the commercial part of the development to be wheelchair accessible; c) A platform lift providing access from the fifth floor residential units to the fourth floor communal terrace. <p>The development shall be carried out strictly in accordance with the above requirements prior to first occupation and shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
18	<p>Code for Sustainable Homes (Compliance)</p> <p>CONDITION: The residential units hereby approved shall achieve a Code for Sustainable Homes rating of no less than 'Level 4'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
19	<p>BREEAM (compliance)</p> <p>CONDITION: The office development hereby approved shall achieve a BREEAM New Construction rating (2011) of no less than 'excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
20	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

21	<p>Accessible Homes Standard (Compliance)</p> <p>CONDITION: The residential dwellings hereby approved within the development, shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards.</p> <p>REASON: To secure the provision of flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
22	<p>Plant Noise (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
23	<p>Servicing and Delivery (Compliance)</p> <p>CONDITION: Deliveries, collections, unloading, loading shall only take place at the site between the following hours:</p> <p>Monday to Saturday - (08:00 - 20:00) Sundays/Bank Holidays - not at all</p> <p>REASON: In order to preserve the amenities of neighbouring residential occupiers at 10 Epworth Street.</p>
24	<p>Rear Courtyard Facing Windows Fixed Shut (Compliance)</p> <p>CONDITION: All rear courtyard facing windows within the development shall be fixed shut and unopenable.</p> <p>REASON: In order to preserve the amenity of neighbouring residential occupiers at 10 Epworth Street by preventing overlooking and minimising noise and disturbance.</p>
25	<p>Green/Brown Biodiversity Roofs (Compliance)</p> <p>CONDITION: All green/brown roofs shown across the approved development shall be designed, installed and maintained in a manner that meets the following criteria:</p> <ul style="list-style-type: none"> a) green/brown roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).

	<p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise run-off.</p>
26	<p>Car Parking Layout (Compliance)</p>
	<p>CONDITION: The existing on-site resident car parking to be retained shall be formally demarcated prior to the first occupation of the development and maintained as such thereafter. No parking of vehicles shall take place within the car park area other than within the spaces which are formally marked out.</p> <p>REASON: In order to ensure that residential parking would occur in a manner that would allow safe use of the shared parking / servicing area.</p>

List of Informatives:

1	<p>S106</p>
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<p>Superstructure</p>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay both the Mayor of London's and London Borough of Islington's Community Infrastructure Levy (CIL). This will be calculated in accordance with the adopted CIL Charging Schedules. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p>

	Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil
4	Car-Free Development
	INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.
5	Water Infrastructure
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6	Working in a Positive and Proactive Way
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>
7	Materials
	INFORMATIVE: In addition to compliance with condition 3, materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2 Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

Policy 2.10 Central Activities Zone – strategic priorities	Policy 6.1 Strategic approach
Policy 2.11 Central Activities Zone – strategic functions	Policy 6.3 Assessing effects of development on transport capacity
Policy 2.12 Central Activities Zone – predominantly local activities	Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 2.13 Opportunity areas and intensification areas	Policy 6.9 Cycling
	Policy 6.10 Walking
	Policy 6.13 Parking
Policy 3.2 Improving health and addressing health inequalities	Policy 7.1 Building London’s neighbourhoods and communities
Policy 3.3 Increasing housing supply	Policy 7.2 An inclusive environment
Policy 3.4 Optimising housing potential	Policy 7.3 Designing out crime
Policy 3.5 Quality and design of housing developments	Policy 7.4 Local character
Policy 3.6 Children and young people’s play and informal recreation facilities	Policy 7.5 Public realm
Policy 3.8 Housing choice	Policy 7.6 Architecture
	Policy 7.8 Heritage assets and archaeology
Policy 4.2 Offices	Policy 7.13 Safety, security and resilience to emergency
Policy 4.3 Mixed use development and offices	Policy 7.14 Improving air quality
Policy 4.12 Improving opportunities for all	Policy 7.15 Reducing noise and enhancing soundscapes
	Policy 7.19 Biodiversity and access to nature
Policy 5.2 Minimising carbon dioxide emissions	Policy 8.2 Planning obligations
Policy 5.3 Sustainable design and	Policy 8.3 Community infrastructure levy

construction
Policy 5.4 Retrofitting
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.17 Waste capacity

B) Islington Core Strategy 2011

Policy CS7 (Bunhill and Clerkenwell)
Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)
Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

C) Development Management Policies June 2013

DM2.1 Design	DM7.1 Sustainable design and construction statements
DM2.2 Inclusive Design	DM7.2 Energy efficiency and carbon reduction in minor schemes
DM2.3 Heritage	DM7.3 Decentralised energy networks
DM3.1 Mix of housing sizes	DM7.4 Sustainable design standards
DM3.4 Housing standards	DM7.5 Heating and cooling
DM3.5 Private outdoor space	DM8.1 Movement hierarchy
DM3.6 Play space	DM8.2 Managing transport impacts
DM3.7 Noise and vibration (residential uses)	DM8.4 Walking and cycling
DM5.1 New business floorspace	DM8.5 Vehicle parking
DM5.2 Loss of existing business floorspace	DM8.6 Delivery and servicing for new developments
DM5.4 Size and affordability of workspace	DM9.1 Infrastructure

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

DM9.2 Planning obligations
DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses
BC10 Implementation

3. Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Central Activities Zone
- Bunhill & Clerkenwell Key Area
- City Fringe Opportunity Area
- Employment Priority Area (Offices)
- Moorfields Archaeological Priority Area

4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design
- Small Sites Contribution
- Inclusive Design
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

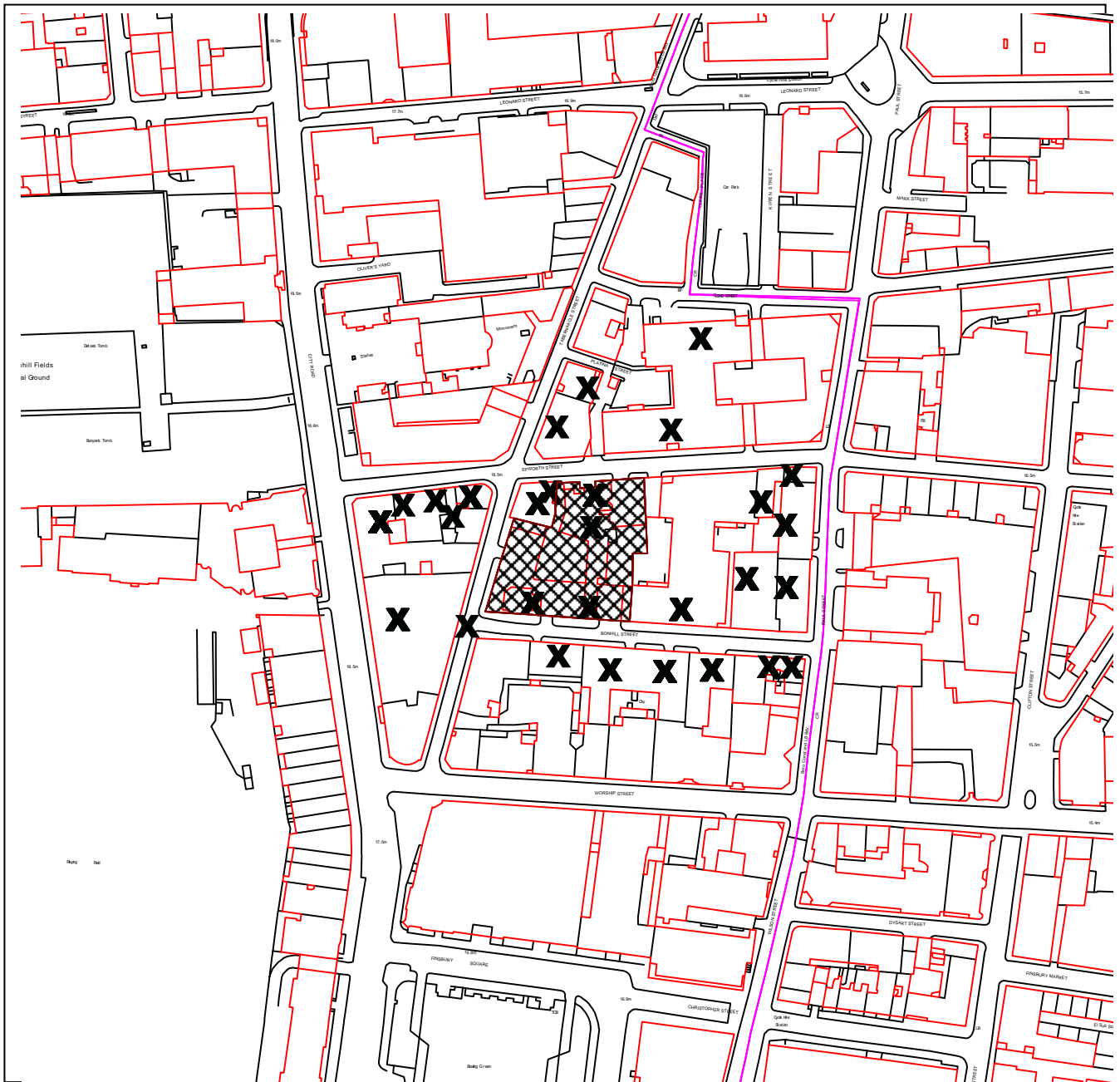
London Plan

- Accessible London: Achieving an Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

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ISLINGTON



DEVELOPMENT MANAGEMENT

PLANNING APPLICATION REF NO: P2014/1103/FUL

LOCATION: ZIMCO HOUSE, 16-28 TABERNACLE STREET & 10-14 EPWORTH STREET LONDON EC2A 4LU

SCALE: 1:2500

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